



**CITY/COUNTY DISCUSSION TOPICS**

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**Top Five Priorities**

1. **Old Civic Center Re-Use**

City Point Person – **Ed Shikada**, Deputy City Manager

County Point Person – **Patrick Love**, Asset and Economic Development Director

**Est. Completion Date:** 2008.

**Synopsis:** The City and County are attempting to determine whether there is an opportunity for the County to purchase the old City Hall property (10 acres, Old City Hall, and ancillary buildings), or possibly negotiate a land swap where the County swaps the Tully Road Parking Lot for the old City Hall property.

**City View:** This project involves the City's interest in sale/development or reuse of the old City Hall site (approximately 10 acres) and E Lot (approximately 8 acres) that is adjacent to the County Government Center. The County has an interest in developing the Richey Army Reserve Site (8.5 acres) and the parking lot at First and Hedding (8.0 acres). The City has received a draft of a historical study of the former City Hall, in which City Hall is judged to be historically significant, while the annex and the Health buildings are not. The City is proceeding with alternative development and reuse analysis of both sites, potentially leading to a General Plan amendment.

City staff plans to present a report to the City Council in September on potential disposition options for old City Hall, and recommend Council approval to enter into formal discussions with the County on sale or transfer of the property. Staff is also reviewing the financial viability of retrofitting old City Hall for office use, and would like to explore this option with the County including any potential for innovative lease/purchase options. Preliminary estimates, however, indicate that retrofit costs would require lease rates that are above market.

**County View:** The County Executive's Office is in discussions with the City Manager's Office regarding the potential acquisition of the Old City Hall property. City Planning commissioned a historical study of the old City buildings, which concluded that the old City Hall building had historical significance. The implications of this preliminary finding are not yet known and may impact the County's interest in the property and the property's value.

The City Manager's Office has suggested the possibility of a land swap of the Old City Hall property for the 14-acre Tully Road Parking Lot, located across the street from the County Fairgrounds. The City's interest in the Tully property would be to develop a fire training center, including a new Fire Station #26, to be relocated from across Tully Road. That proposal was discussed with the Board as part of a presentation on March 27, 2007 regarding conceptual land use options for the Fairgrounds. Cooperative planning discussions are continuing with the City Manager's Office regarding these issues.

The County is also developing conceptual land use options for the existing County Civic Center site. These concepts were presented to the Board of Supervisors on March 27, 2007 and are

presented again as part of the August 23, 2007 City-County Meeting, including a separate discussion regarding the Richey Army Reserve property. These concepts will be refined for further consideration by the Board after further discussions with the City, when more is known about the disposition of the Old City Hall property and the Army Reserve site.

2. [Annexation and Annexed Properties](#)

City Point Person – **Joe Horwedel**, Director of Planning, Building, and Code Enforcement  
County Point Persons – **Jane Decker**, Deputy County Executive, and **Michael Murdter**,  
Director of Roads and Airports

**Est. Completion Date:** 2011.

**Synopsis:** The City agreed to annex all of the County pockets less than 150 acres that are in the City's urban service area and make good faith efforts to annex those pockets that are greater than 150 acres. The County agreed to absorb the cost of surveying and map preparation, and make road improvements, etc.

**Background:** As part of the recent City/County Settlement Agreement, the City agreed to annex, by 2011, all of the county pockets of 150 acres or less in the City's urban service area. In addition, the City agreed to make good faith efforts to annex pockets greater than 150 acres. The County agreed to absorb the cost of the preparation of maps, Assessor and Surveyor costs, and make road improvements. LAFCO staff and the City also identified San Jose islands that had been included in the Urban Pockets Maps prepared by the County that are not eligible for the streamlined island annexation process because some portions of the parcels in the islands are located outside of the City's urban service area.

**City View:** As County pockets are annexed to San Jose, the City assumes the operation and maintenance responsibilities for the infrastructure within those areas. Some of the public infrastructure in County pockets was built under standards that are below the City's standards. This circumstance exacerbates the existing maintenance and operations funding shortfalls and declining condition of the City's overall current infrastructure. In correspondence to the City Manager from the County Executive Office in 2005, the County offered to provide street improvements as part of the annexation process. It is the City's desire that the roadway pavement be brought to a good rating (PCI 80) for each roadway segment prior to the annexation. If the County proposes a cash contribution toward the improvements, that the calculation be based upon full costs to bring the roadway pavement to a good pavement rating. The City appreciates any effort by the County to improve infrastructure in these pockets in advance of transferring them to the City. In addition, the City would like to explore discussions with the County on funding possibilities, including Proposition 42 and 1B funding. Such funding would improve the City's ability to maintain San Jose's transportation infrastructure.

Below is information requested by the Council, which provides an evaluation of the County roads included in the Phase 2 and Phase 3 annexations and has reached the following conclusions:

- ❖ 35.9 miles of roads are proposed to be transferred from County to City jurisdiction (0.9 miles in Phase 2 and 35.0 miles in Phase 3)
- ❖ The cost to improve the County streets to City standards is \$35.8 million
- ❖ The increased maintenance costs to the City for the annexed streets are \$942,000 annually.

It is noted that the 36 miles of County roads proposed for annexation by the City represents over 5% of the overall County road inventory. Consideration should be given to having the County contribute one-time and ongoing funds to the City for roadway improvement and maintenance costs.

Phase 1 (programmed for Fiscal Year 06/07) is essentially complete. 20 out of 24 proposed Phase 1 annexations have been finalized. Of the remaining four, two were deferred because the property owner indicated a desire to pursue a Planned Development Zoning and annexation would have precluded that for 2 years, one was converted to a privately initiated zoning after it was determined that it did not meet the State's streamlining criteria and one was deferred to allow the County to continue with a Code Enforcement action underway.

The City has begun work on the Phase 2 annexations (11 scheduled to be completed in the next fiscal year) ahead of schedule. Due to budget constraints for the preparation of the necessary legal documents, work is limited to early outreach and processing of the four properties for which the County has agreed to provide the legal documents. At this point, analysis of these four sites is being conducted to determine the appropriate rezoning designation.

**County View:** It is incumbent on the City to determine the best way to ensure that the pockets not eligible for the streamlined annexation process, and, possibly more islands, be annexed in order to meet the provisions of the Settlement Agreement.

The County will work closely with the City to effect the annexation of the urban pockets. Unfortunately, the City's expectations for pre-annexation improvements such as curb/gutter, etc. well exceed the County's current availability of resources to make improvements. Nevertheless, the Board of Supervisors did allocate \$700,000 in 2005 to cover cities' costs associated with the streamlined annexation process. These include Surveyor and Assessor costs as well as Board of Equalization filing fees. Improvements to County roads have also been funded from this allocation.

In addition, County Roads has contributed \$459,000 of Road Fund monies for road improvements. On roads not meeting a Pavement Condition Index of 70, the County will provide improvements. When the allocation is fully expended, the Board may consider whether additional revenue is needed to continue subsidies.

3. **Coyote Valley Specific Plan**

City Point Person – **Joe Horwedel**, Director of Planning, Building, and Code Enforcement  
County Point Person – **Jane Decker**, Deputy County Executive

**Est. Completion Date:** Adoption anticipated in 2008.

**Synopsis:** The City is preparing a specific plan to guide the development of 25,000 residential units, 1.6 million square feet of retail, and 15.7 million square feet of new workspace on 3,400 acres at the boundary of the urban service area. The County is concerned about the environmental impacts of such a development.

**City View:** The County has been part of the Coyote Valley Specific Plan process since the Task Force was formed in 2002. In addition to Supervisor Gage participating as a Task Force member, County staff from several departments are part of the Technical Advisory Committee. County staff have also been invited to and have attended various community workshops and meetings, as well as participated in small group meetings directly with their City counterparts. This high degree of coordination and outreach was intended to address the County's interests and concerns during the planning process to the extent practically possible, recognizing respectfully that the very notion of a Plan for Coyote Valley and its subsequent implementation/development would likely raise challenges that might not be resolved to mutual satisfaction.

The Coyote Valley Specific Plan Draft Environmental Impact Report (DEIR) was released for a 60-day review period, longer than the State required 45-day review period. Shortly after receiving the County's request for a 90-day review period, the City extended the comment period to this duration and offered to meet with the County to facilitate the review of the document. This meeting did not occur. The County submitted comments on the DEIR, including several technical analyses prepared by outside consultants. The City has decided to revise the EIR and re-circulate it for additional public review and comment. The schedule for the release of the revised document is currently in preparation.

**County View:** The County has been actively involved in the CEQA process for the CVSP development to ensure that pertinent environmental impacts from the development are accurately and realistically identified, and that those impacts are mitigated by the City. To that end, the County submitted extensive CVSP DEIR comments and technical reports to the City on June 29, 2007.

The County is appreciative that the City extended the deadline for submitting DEIR comments by thirty days, which provided the County adequate time to prepare its comments and present them to the Board of Supervisors.

The County is aware that the City is revising the CVSP environmental impact report and plans to remain an active participant in the CEQA process.

4. **Fairgrounds Development**

City Point Person – **Ed Shikada**, Deputy City Manager

County Point Persons – **Pete Kutras**, County Executive, and **Patrick Love**, Asset and Economic Development Director

**Est. Completion Date:** RFQ phase is to be completed by October 1, 2007. The RFP phase is to be completed by March 1, 2008.

**Synopsis:** The County has initiated a developer RFQ/RFP process for the development of the County Fairgrounds property, based on direction from the Board on May 22, 2007. The development criteria will be the highest and best uses to achieve a long-term continuing stream of new revenues for the County through commercial development, housing, mixed-use, and continued use of part of the Fairgrounds for historical uses such as public gatherings and community festivals. The City has indicated that it has funds in parkland bonds that could be allocated toward the creation of some kind of park or recreational amenity on part of the property. The County will evaluate how this potential concept fits with its development plans for the Fairgrounds.

**County View:** The Fairgrounds Revitalization Project, approved by the Board in April 2000, included a community recreation facility along with the concert theater and a new County Expo Center. The recreation facility was envisioned at that time as a large gym for youth and adult recreation leagues, to be operated by a private contractor under a ground lease with the County. The proposed facility was originally included in the Revitalization Project in response to the relocation of the Spartan Little League fields from the Fairgrounds to a new City park, Tully Community Ballfields, at Tully and Galveston, for which the County contributed \$1.5 million in funding. In August 2006, the Board acted not to pursue the Revitalization Project. The County is open to discussions with the City regarding alternatives to the previously planned recreation center or new concepts for recreation at the Fairgrounds, in the context of the Board's decisions about the future development of the Fairgrounds.

On March 27, 2007, the County Executive presented to the Board some conceptual land use options for the potential future development of the Fairgrounds property. On May 22, 2007, the County Executive reported back to the Board with the elements that would be included in a subsequent developer RFQ/RFP, and the Board authorized the County Executive to initiate such a RFQ/RFP process. The process will be done in two steps – developers will be pre-qualified according to relevant experience, financial capability, and other criteria. Qualified developers will then be invited to submit proposals responding to specific elements of the RFP, including housing, commercial development, mixed use, and continued public use.

The RFQ was issued July 16, 2007, and developer qualification submittals are due August 30, 2007. The RFP selection process will be concluded in the Spring of 2008. The goals for the Fairgrounds property are to develop the property for the highest and best use and to provide the County with a continuing stream of new revenue, consistent with the criteria directed by the Board on May 22, 2007, as discussed above. The County continues to work

cooperatively with the City as this process unfolds, with the direct involvement of a Deputy City Manager.

**City View:** The City appreciates the County’s invitation to participate in the evaluation and selection of development proposals. In order to guide City participation in this effort, staff will solicit input from Council on guiding principles.

In addition, the City is interested in working with the County to establish a community-based, collaborative land use planning process for the Fairgrounds property. In order to establish General Plan and zoning designations for the property, this process should facilitate the identification of appropriate land uses to meet the County’s revenue needs through the Fairgrounds revitalization effort while ensuring compatibility with the surrounding community and consistency with the City’s long range vision for the larger area.

5. [Pandemic Flu Planning/Use of City Facilities and Staff for Public Health Emergencies](#)

City Point Persons – **Darryl Von Raesfeld**, Fire Chief, **Rob Davis**, Police Chief, and **Kimberly Shunk**, City OES Director

County Point Persons – **Marty Fenstersheib**, Public Health Officer, and **Bob Fracoli**, Acting County OES Director

**Est. Completion Date:** TBD.

**Synopsis:** Public Health is the local lead agency for Bioterrorism and Pandemic Flu planning. Public Health is working with the City to identify Medication Centers/Points of Dispensing (POD) for the purpose of providing medicine/vaccine for prophylaxis as well as to address other associated needs, such as, volunteer coordination, Disaster Service Worker status for City employees, etc.

**County View:** Strong coordination between the Public Health Department and the City Office of Emergency Services (OES) on bioterrorism and pandemic planning and response is necessary. Public Health is responsible for developing a plan for mass prophylaxis and for determining when to activate our plans for the care of healthy people during a bioterrorism event. It is also responsible for developing a plan for medical care of pandemic victims and coordinating with cities and other partners to meet the needs of ill people and taking measures to limit the spread of disease.

The City is responsible for nominating Medication Centers (POD locations for distribution of mass prophylaxis). The City also has a role in helping to identify Influenza Care Center (ICC) locations. In addition, it is responsible for providing staffing support of PODs and ICCs. Six large facilities countywide need to be identified to serve as ICCs.

Other related coordination issues include logistics oversight (traffic and security), procurement of supplies, volunteer coordination, Joint Information Command Center (JIC), exercises and drills, and the use of City Disaster Service Workers.

Home preparedness for disasters including Pandemic Flu is critical to an effective response. San Jose has a strong neighborhood association structure with ties to the city. Public Health needs to work much more closely with these neighborhood groups in collaboration with the City.

**City View:** Significant progress has been made on the entire range of Public Health initiatives beginning in Spring 2007. Topics are divided between initiatives to keep healthy people well and providing treatment to people who are ill.

### **Those who are Healthy**

The City and County have collaborated on three major preparedness activities: planning, exercises, and purchase of equipment and supplies.

**Points of Dispensing (PODs or Medication Centers)** – In order to provide timely service to a city of almost 1,000,000 residents, San José plans to use multiple models to deliver medicine to keep healthy people well. A drive-thru model is currently the most efficient model; fixed sites will also be necessary to provide service to residents without cars and to vulnerable populations. San José has identified 10 fixed sites and 2 drive-thru sites as its initial effort, with more under consideration. The addition of drive-thru sites may reduce the total number of fixed sites necessary because drive-thru sites have a higher capacity.

On May 10, 2007, San José’s Metropolitan Medical Task Force conducted a field exercise to test its priority prophylaxis plan for first responders. Exercise planning began in September 2006 and included Task Force members representing Fire, Police, OES, County Public Health, AMR, and Valley Medical. Participants on May 10 included sworn and non-sworn on-duty staff in Police, Fire, and OES, as well as vehicle maintenance staff from General Services who work at the Fire Training Center. Using a drive-thru model, more than 750 employees participated in this 4.5 hour exercise, which resulted in dispensing more than 3,200 courses of treatment for employees and their dependents. The exercise tested medical screening and data collection procedures, dispensing and packaging of “pharmaceuticals” (also known as M&Ms), facility layout and set-up, traffic control, and security. The exercise gave Fire and Police the opportunity to establish a unified command. As an added benefit, the exercise also accommodated walk-up participants. San José used \$30,000 from a Metropolitan Medical Response System grant to provide equipment and supplies to support this event.

- ❖ San José has identified two City-owned facilities with large parking lots, close to public transportation, which are good choices for drive-thru PODs. Within a few weeks, these facilities should be ready for review and certification as PODs by the Public Health Department. The City is still completing its analysis of the May 10 exercise, which may lead to the conclusion that more drive-thru sites will be needed, some of which may be commercially owned while others may belong to other agencies.
- ❖ As part of its planning for a heat emergency this summer, San José identified ten Community Centers which can also be used as PODs. Identification of these sites built on last year’s response to record high heat. To ensure citywide availability, city staff has identified one Community Center in each Council District, located close to public transportation. Within a few weeks, these Centers should be ready for review and acceptance as PODs by the Public Health Department.

- ❖ Additional work needs to be done in collaboration with County Public Health to identify and address the needs of our most vulnerable populations.

**Pharmaceuticals and Supplies** – In September 2006, San José used \$700,000 of the 2004 Urban Area Security Initiative (UASI) grant to purchase pharmaceuticals and supplies to prepare for pandemic flu. In May 2007, through Santa Clara County’s 2006 State Homeland Security Grant Program (SHSGP), the County agreed to purchase \$80,000 in protective N95 masks for the San José Fire Department. In the next few weeks, using \$200,000 from the 2006 Metropolitan Medical Response System grant, San José will purchase pharmaceuticals to replace outdated supplies. These purchases, which represent a substantial investment from three separate grant sources, are intended to bolster the region’s ability to respond to a natural or terrorist event until the Federal stockpile can arrive.

### **Those who are Ill**

The two primary areas under discussion are the redeployment of City employees during an influenza pandemic and the use of City facilities as influenza care centers. These are complex issues with serious human and economic consequences, and so, must be carefully considered.

**Redeployment of City Employees** – Under California law, every employee of a local or State agency is a Disaster Service Worker in the event of a declared emergency. Disaster Service Workers may be assigned to tasks that would not normally be within their regular scope of duties. During a pandemic, Santa Clara County will need assistance from cities and other organizations to staff public health facilities such as PODs and influenza care centers. As part of the planning process, a communication and training plan will need to be developed to ensure that essential services such as police and fire services are maintained, while at the same time providing public health support when employees and their families may be ill. San José must first identify which employees would be available for redeployment. As a second step, employees must also receive appropriate training for their new roles and responsibilities.

**Use of City Facilities as Influenza Care Centers** – A majority of people who become ill from flu will be cared for in their own homes. Hospitals will provide critical care for those patients who require ventilators or other sophisticated medical intervention. In order to care for people who need intravenous rehydration or oxygen, Santa Clara County Public Health will be creating influenza care centers as an intermediate step between home and hospital care. City-owned facilities may serve as expedient influenza care centers, though may not be the most desirable solution due to lack of laundry facilities and private baths. There is, however, at least one large facility in San José that could serve this purpose. Other facilities, public and private, may provide more desirable environments. As part of the planning process, the steps and timeline required to return these facilities to their original use needs to be considered. The City and County will continue to work together on this difficult task to determine the best possible solution.

## General Government

6. [City/County Annual Meeting and Relationship](#)

City Point Person – **Deb Figone**, City Manager

County Point Person – **Pete Kutrass**, County Executive

**Est. Completion Date:** N/A.

**Synopsis:** The City and County have agreed to conduct annual meetings of the full elected bodies, and the next meeting is scheduled for August 23, 2007.

**City and County View:** The City, Agency, and County have committed to moving forward in building a stronger relationship. This is being accomplished by staff coordination on key issues and regular meetings being held by staff and elected officials.

7. [Spielbauer Case](#)

City Point Person – **Rick Doyle**, City Attorney

County Point Person – **Ann Ravel**, County Counsel

**Est. Completion Date:** Oral argument in the *Spielbauer* case is anticipated to occur in late 2007 or early 2008. A decision from the State Supreme Court may occur as early as Spring of 2008, but it is more likely that the decision will be issued in the Fall of 2008.

**Synopsis:** The reason the City and County place great importance on this case is that the Sixth District's decision, which the County is appealing to the State Supreme Court, substantially impairs a public employer's ability to investigate misconduct committed by public employees in the course of their public duties.

**City View:** The City is going to join with the California League of Cities as Amicus in support of the County on this case.

**County View:** The central legal issue is, may a public employee be terminated for refusing to answer questions regarding the performance of public duties after having been forewarned that refusal to answer his employer's questions would constitute insubordination leading to termination and assured that his statements cannot be used against him in criminal proceedings?

In 1985, the State Supreme Court issued its decision in *Lybarger v. City of Los Angeles*, which held that a public employee's privilege against self-incrimination under the Fifth Amendment is adequately protected by precluding any use of the employee's statements at a subsequent criminal proceeding ("use immunity"). It further held that the U. S. Constitution does not bar imposition of administrative sanctions (e.g., a charge of insubordination) on a public employee for refusing to answer questions posed in an internal investigation.

Since 1985, California public employers have relied upon this and related decisions to help investigate allegations of misconduct against public employees and if, after assuring the

employee that the employee's statements could not be used against the employee in a later criminal proceeding, the employee still refused to answer questions by the employer, public employers have terminated the employee for insubordination.

Despite a long line of cases from the United States Supreme Court, the Ninth Circuit, and the California Supreme Court that have upheld this process for public employee investigations, the Sixth District Appellate Court in *Spielbauer* held that a public employee who raises the Fifth Amendment privilege cannot be terminated for refusing to answer questions posed during an internal disciplinary proceeding unless the public employer has first obtained for that employee a formal grant of use immunity from the State. The Sixth District's decision substantially impairs a public employer's ability to investigate misconduct committed by public employees in the course of their public duties.

8. [Legislative Guiding Principles](#)

City Point Person – **Betsy Shotwell**, Director of Intergovernmental Relations  
County Point Person – **Katie Brown**, Legislative Director

**Est. Completion Date:** N/A.

**Synopsis:** The City and County plan to coordinate legislative activities when it is to our common advantage to do so.

**City View:** The City and the County share mutual positions on legislation pending in Sacramento including: AB 57 (Soto) Safe Routes to School, which would authorize state and local entities to secure and expend Federal funds appropriated under the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” for programs relating to highway safety improvements that can reduce the number of fatal and serious injury accidents; AB 145 (Coto) regarding San Jose State University and National Hispanic University collaboration; and the Legislative Committee considered a support position on August 9 for City supported SB 966 (Simitian) regarding pharmaceutical drug disposal.

**County View:** The County welcomes opportunities to coordinate advocacy on legislative matters that are of common interest.

9. [Property Assessment and Revenue for Education Funding Program \(PARE\) Bill, AB 83](#)

City Point Person – **Jennifer Maguire**, Acting Budget Director  
County Point Person – **Larry Stone**, County Assessor

**Est. Completion Date:** N/A.

**Synopsis:** The Assessor is interested in securing the City’s support of AB 83, the PARE Bill.

**County View:** It is in the economic interest of the City and its redevelopment agency to officially support passage of AB 83, which would result in the continued support of an important State source of funding for property tax administration.

**City View:** The City has not taken a position on the bill. The County Executive issued a memo earlier this year asking that the Board of Supervisors not support the bill sponsored by our County Assessor unless amended. The Board majority did vote, however, to support AB 83.

10. [Grants Management/Needs Assessment](#)

City Point Persons – **Mark Linder**, Deputy City Manager, and **Craig Temple**, City Manager’s Office

County Point Persons – **Leslie Crowell**, Budget Director, and **Margaret Olaiya**, Countywide Contract Administrator

**Est. Completion Date:** N/A.

**Synopsis:** The City and County are collaborating and sharing ideas and resources for managing grants and contracts.

**City View:** In March 2007, the City assigned a full-time resource, a participant in the City’s Leadership Fellow program, to address the grant management workload. The current focus of work is twofold: Development of a citywide procedures manual for grant management and implementation of a technology tool to assist grant management activities.

City staff met with County staff on May 21 to coordinate and share information on grant management issues and best practices.

**County View:** In the spring of 2006, the Council of Nonprofits recommended that the City contact the County Contracts Administrator to share some of the successes the County has achieved in the area of contracting with the idea of assisting the City in developing best practices in its contracting activities.

The City Manager’s Office contacted the County in October 2006. Margaret Olaiya explained her role as the centralized resource for County employees on matters related to contracting. The Contracts Best Practices Working Group’s role is to seek ways to achieve improved processes related to contracting, the various databases, financial systems, and websites.

The City has requested copies of the County’s executed contracts that it could review for its internal process. A copy of a community-based organizations list was also provided to the City. The City requested the Contracts Administrator job specification so that a similar one could be set up in the City. A position now exists in the City Manager’s Office. The City has also set up a working group similar to the County’s Best Practices Working Group.

At the County’s Contract Workshop for employees held in February 2007, two City representatives participated in the training. It is provided twice-a-year. The County welcomes other City staff participating in future workshops.

11. **Coordinated Efforts Concerning Workforce Development**

City Point Person – **Mark Danaj**, Director of Human Resources

County Point Person – **Luke Leung**, Deputy County Executive, Employee Services Agency

**Est. Completion Date:** N/A.

**Synopsis:** There are opportunities for the City and County to collaborate on fostering the development of the next generation of City and County employees.

**County View:** The City and County share a common concern related to workforce development in light of the expected wave of retirements in critical areas, such as, planning, law enforcement, emergency dispatch, public works, and parks and recreation, etc. Instead of the agencies chasing the few qualified applicants, the agencies should share information and resources to widen the eligible pool of public service employees.

**City View:** The City is actively partnering with other local jurisdictions through the Cal-ICMA Two-County Preparing the Next Generation team, local colleges and universities, and related groups such as Work2Future and Junior Achievement Silicon Valley, to cultivate a public sector pipeline of talent. Due to the accelerating number of retirements, San José is currently developing a succession planning strategy to meet the needs of the City's diverse customers and workforce, i.e., which facilitates the professional development of current staff, the attraction and retention of new staff, and the continuity and creative delivery of top-notch City services.

12. **Tax Increment Pass-Through Payments**

City Point Person – **Harry Mavrogenes**, Executive Director, Redevelopment Agency

County Point Person – **John Guthrie**, Director of Finance

**Est. Completion Date:** N/A.

**Synopsis:** The County wants its share of tax-increment pass-through revenue sooner than may be required by the Amended and Restated Agreement between the Agency and the County dated 5/22/01 (the "Agreement"). The County receives payments after the Agency's auditor has completed the fiscal year audit. According to the Agreement, the County pass-through is subordinated to all Agency loans, bonds, or other indebtedness, etc., and that the Agency needs audited financial statements to ensure that all debt obligations are satisfied. In response, the County proposes that the RDA retain a nominal (5%) amount pending audited statements, and remit the remaining amount to the County.

**County View:** The County urges the Redevelopment Agency (RDA) to pay for its share of the tax increment pass-through revenues on a timely basis. These payments are sometimes unreasonably delayed for almost a year after their due date. With the South Rincon Project, for example, the County invoices the RDA twice a year (April and December) for its share of the pass-through tax increment for a fiscal year. The invoice is based on current information and is subject to a true-up adjustment in August. The payment is due within 30 days. The

FY06 payment was received on November 26, 2006; about 11 months after the first invoice. Payments for FY04 and 05 were also similarly delayed.

For the Merged Area Projects, the agreement requires the RDA to make pass-through payments to the County within 30 days of receiving sufficient incremental taxes to make such payments. Our apportionment records indicate that the RDA generally receives a sufficient amount of tax increments by January, and the County times its billing accordingly. However, the County does not receive any payment until the last quarter (November or December) in the calendar year, about five or six months after the fiscal year end. To address the concerns raised by the City, the County proposes that the RDA retain a nominal (5%) amount pending audited statements, and remit the remaining amount to the County.

**City View:** Tax increment is pledged to pay all debt service in each fiscal year, as confirmed in the year-end audit.

Section B of the Agreement states that the County Pass-Through is subordinated to all Agency's loans, bond or other indebtedness, and any pledge of or lien on the merged area tax increment. After the audit is completed, normally in November, and once the Agency meets all its obligations, the County Pass-through is paid.

13. [San Jose Police Department and County Network Connection and Infrastructure](#)

City Point Persons – **Rob Davis**, Chief of Police, and **Tammy Becker**, Operations Support Services Division Manager

County Point Person – **Joyce Wing**, County Chief Information Officer

**Est. Completion Date:** TBD.

**Synopsis:** This project creates a network connection so that the City and County can share criminal justice data. There have been various hurdles to overcome concerning respective responsibilities, troubleshooting, etc. The City and County continue to meet to resolve these issues.

**County View:** This project creates a network connection, with appropriate security, to permit the San Jose Police Department (SJPD) to access the County's Criminal Justice Information Control (CJIC) and Geographic Information System (GIS) and for the County to access the Automated Fingerprint Identification System (AFIS). It is also planned for the County to access the Mug Shot System.

The issues that need to be resolved include: rerouting of internal SJPD network traffic that is being passed through County-owned and maintained network equipment installed at the SJPD to service the network connection between the SJPD and County; agreement and documentation of the support demarcation for the equipment involved in the network connection; formal documentation of the troubleshooting and support procedures. Resolution of the network routing issue requires the installation of new network fiber by the SJPD in its facilities and then an equipment reconfiguration involving both the SJPD and County.

After recently meeting with SJPD technical staff to discuss the work required, it is the County's understanding the required fiber has been installed, but requires termination. As soon as this work is completed, the equipment reconfiguration and traffic rerouting can be scheduled and completed. SJPD technical staff will need to contact the County staff to coordinate scheduling the work since this work will require the involvement of both City and County network support staff. Once this work is completed, the County staff will set up a meeting to work on documentation. County staff believes that the support demarcation, troubleshooting, and support procedures are generally agreed upon, but require documentation. This should also include documentation of the various fiber segments and network equipment that is involved.

**City View:** There were some issues that materialized approximately a year ago in which the County was called because of an AFIS network failure. The County believed that SJPD's network design for system-to-system communications between AFIS and CJIC, including the installation of a second firewall, was the source of the problem. The County found that there was some duplicate coding in a newly installed firewall. The County removed the code. According to documents "the connection has been stable" since that fix.

This failure brought to light an issue related to troubleshooting. SJPD met with the County and resolved the issue. SJPD Central ID personnel handle 24/7 calls from user agencies and attempt to do a level of diagnostics. If SJPD personnel are not able to resolve the issue, they contact Motorola (the vendor). Motorola was present in this meeting and confirmed this is part of the service provided through the maintenance agreement. The Motorola tech is able to trouble shoot to determine if the problem is hardware, software, or network. He notifies the appropriate entity to perform repairs if it is not a Motorola problem. Motorola is not on-site 24/7 but the technician has an office at SJPD and is readily available 24/7. The Motorola technician has been extremely responsive to all AFIS needs.

A meeting on July 23<sup>rd</sup>, 2007 with the County revealed that their concern regarding City traffic continuing on their network is valid. Traffic on their network has not been converted to the new fiber link, which was to be installed as part of the countywide Mug Shot System. The work was held up due to other priority projects and staffing problems within GSA. A technician is scheduled to address the issue on July 30, 2007. A contractor has been hired to complete the network once the fiber has been installed. There is still a great deal of work to be done to set security agreements and policies. A follow-up meeting has been set with City SDU and IT in August.

14. [Automated Fingerprint Identification System \(AFIS\) Application Support](#)

City Point Persons – **Rob Davis**, Chief of Police, and **Tammy Becker**, Operations Support Services Division Manager  
County Point Person – **Joyce Wing**, County CIO

**Est. Completion Date:** TBD.

**Synopsis:** The existing AFIS network is being upgraded to support both AFIS and, now, countywide Mug Shot network traffic. The County has found that it is difficult for

application errors to be fixed. The County and City are currently attempting to resolve these hurdles.

**County View:** The County needs support for the AFIS fingerprint and palm print database that allows: Fingerprint and palm prints to be sent to the City's Central Identification Unit (CIU) for arrestee/registrant identity verification; interface with Criminal Justice Information Control (CJIC) to create/update person information entered on the agency LiveScan devices; interface with CJIC to print pre-booking sheets and fingerprint cards; and latent fingerprint search.

SJPD relies on the AFIS vendor to provide application support. When there are application errors, vendor programming staff is off-site, so it is usually County staff who recognize and diagnose the problem; however, resolution requires AFIS vendor assistance. It falls to County staff to contact the AFIS vendor and/or re-program County systems (such as, CJIC) to accommodate AFIS system changes/limitations. This is done at no charge to SJPD or the CAL-ID RAN Board. However, CJIC annually pays 27% of the entire CAL-ID Program budget. Discussions regarding support costs will need to be scheduled after the work described below and in item #13 is completed.

Similar issues exist for the vendor installed AFIS network infrastructure used by County agencies and the Sheriff's Office to access AFIS. When there are issues with the AFIS network, County ISD and Sheriff network support staff are alerted by County AFIS users to address the resulting problems. County ISD and Sheriff network support staff are currently in discussions with SJPD to redesign the AFIS network infrastructure. These discussions need to be completed, a network design agreed upon, and the required network infrastructure installed, documented and made operational. This work should be coordinated with the tasks being undertaken for the SJPD/County network infrastructure described in item 13 above.

**City View:** Each agency, including the County, is responsible for maintaining its own networks to a demarcation and paying for maintenance from Motorola (either through direct payment or as part of their CAL-ID Budgets).

Modifications to the existing AFIS network are in progress. The modifications were necessitated by the countywide Mug Shot project. The existing 56k connections were not sufficient to support both AFIS and Mug Shot traffic. The Sheriff's Office volunteered the use of the SLETS network to minimize costs to the user agencies.

Early discussions about this new AFIS network indicated that traffic would need to pass through the County network. Since those discussions, the County discovered that there was existing fiber directly linking the Sheriff's Office to SJPD eliminating the need to pass through the County.

The Mug Shot project does require collaboration with CJIC for an interface. The interface is intended to allow Mug Shot to pull information from CJIC to reduce errors related to multiple data system entries. There are other projects, including mobile identification, which will eventually require collaboration with CJIC. SJPD has already conducted a meeting on mobile ID with CJIC, the Sheriff's Office, and the County to engage them in discussion

about how this project can proceed. These projects are intended to assist agencies with efficiency in identification and data entry.

SJPD does have 24/7 support service with Motorola. A Motorola technician is actually on-site many hours a week. Central ID staff serves as the initial 24/7 helpdesk and conducts an assessment of the problem. If Central ID is not able to resolve the problem, we make the call to Motorola as a service to the user agencies. Motorola has agreed to be the primary contact at this next level. This agreement was reached after the County notified SJPD of a network issue back in April 2006. SJPD believes that this problem was resolved at that time.

The use of Latent Fingerprint Examiners for technical support is inefficient because they are not computer technicians. It is also counterproductive to their identification duties. SJPD received a commitment from the Cal ID RAN Board to fund a full-time Network Engineer to support the AFIS and Mug Shot System beginning FY 07/08.

15. **Overall Justice Technology Projects Communication**

City Point Persons – **Rob Davis**, Chief of Police, and **Tammy Becker**, Operations Support Services Division Manager  
County Point Person – **Joyce Wing**, CIO

**Est. Completion Date:** N/A.

**Synopsis:** While the County is appreciative of SJPD's crime-fighting initiatives, it has also been frustrated by last-minute communication. SJPD resolves to better communicate with relevant stakeholders.

**County View:** SJPD has initiated several justice technology projects that have impacted the larger law and justice community, such as, the countywide Mug Shot System. While the County lauds SJPD's initiative to improve crime-fighting, communication between SJPD and other agencies that may be affected by SJPD projects have at times been less than timely. However, with recent awareness of the situation, the communication to the law and justice agencies by SJPD has greatly improved, and it is providing information in a timely manner to achieve the needed results. The County ISD greatly appreciates the efforts of SJPD staff to understand the situation and take positive steps to improve the communication.

**City View:** SJPD is interested in moving technology forward for the benefit of all agencies within the county. SJPD's role in the Mug Shot project, however, was the result of direction from the County Chiefs' Association and the CAL ID RAN Board. This project was planned for close to a year before the project kick-off and discussions involved all agencies. It does appear in some cases that information provided by SJPD representatives was not adequately relayed between the decision makers in other departments and those from their agencies who would be involved in implementation. Many did not know about the project until SJPD hosted the kick-off meeting. SJPD resolves to ensure that future projects are communicated to appropriate staff. For example, SJPD has been involved in very preliminary discussions with DOJ regarding mobile identification. SJPD has already met with CJIC, the County, and

the Sheriff's Office to conceptualize the impact of such a project. SJPD received input from these agencies on how they would like to see the project proceed.

16. **Booking Fee**

City Point Person – **Jennifer Maguire**, Acting Budget Director  
County Point Person – **Leslie Crowell**, Budget Director

**Est. Completion Date:** June 30, 2007.

**Synopsis:** FY2006-07 is the last year in which the County is charging a booking fee. AB1805 of 2006 gave counties the authority to charge arresting jurisdictions up to half a county's costs for booking suspects. The City is unhappy that the cost of booking has increased significantly. In response to the City's request, the County submitted a memorandum that presents how it develops the fee, and asserts that the costs are statutorily allowable. Staff from the County also held a meeting on June 5, 2007 with representatives from various cities to explain the jail booking fee calculation, including a detailed breakdown of the cost elements. The City processed its full 2006-2007 jail booking fee payment at the end of June.

**City View:** The issue is the significant increase in the booking fee assessed in 2006-2007. The increase for the City was from the \$1.27 million that has been budgeted in the 2006-2007 Adopted Budget, and has been paid for years, to a new total of \$2.154 million. The County provided documentation at a meeting held on June 5, 2007 with representatives from various jurisdictions. Based on this documentation, the City processed its full payment to the County in June.

In accordance with last year's AB 1805, and following the issuance of the May Revise, the Governor's proposed FY 07-08 budget continues to include \$35 million for an alternative to traditional booking fees called "jail access fees." This is the same level of funding as last year. Starting in 2007-2008, the City is no longer budgeting for a jail booking fee due to the County nor is it budgeting any associated revenue from the State.

**County View:** Legislation enacted last year makes FY07 the last year that counties will charge booking fees. The Governor's FY07-08 budget includes a \$35 million appropriation that would fund Local Detention Facilities Revenue Accounts (LDFRA). If that appropriation remains in the final budget, counties would no longer rely on their authority to levy a booking fee on arresting jurisdictions, as now provided in the Government Code. Instead, the Board of Supervisors will establish a LDFRA enabling us to receive an allocation intended to cover the revenue it would have otherwise generated from a booking fee.

AB1805 of 2006 gave authority to charge arresting jurisdictions up to half a county's cost for booking suspects. Because of questions that arose about how the booking fee is developed, the County prepared a letter to the City of San Jose and other affected jurisdictions dated May 14, 2007 that indicates that the costs the County is charging jurisdictions in the current year are consistent with what is permitted statutorily. The County also held a briefing meeting on June 5.

17. [Property Tax Administration Fee](#)

City Point Person – **Jennifer Maguire**, Acting Budget Director  
County Point Person – **Leslie Crowell**, Budget Director

**Est. Completion Date:** N/A

**Synopsis:** The City is displeased that the cost of property tax administration substantially increased this fiscal year and that it was not given written notice of the increase. The County asserts that it made numerous efforts to forewarn the City of this increase, and that the increase is principally a result of the State increasing cities' share of property tax revenues; all of which is documented in a letter from the County to the City.

**City View:** The County increased the property tax administration fee from \$1.1 million in 2005-2006 to \$2.5 million in 2006-2007, with inflationary adjustments expected in future years. The property tax administration appropriation was increased by \$1.3 million as part of the 2006-2007 year-end clean-up memorandum to avoid a year-end ratification. As is past practice, the increased fee was deducted from the third secured property tax advance submitted on April 20, 2007. The City will face a higher cost on an ongoing basis. The 2007-2008 Adopted Budget does allow for this higher cost.

**County View:** SB 1096 enacted in 2004 increased the amount of property tax revenues cities receive, and permitted the County to recover more of its costs in collecting and apportioning property tax changes. The County submitted a letter dated May 10, 2007 to the city managers that documents the early and extensive efforts the County undertook to counsel cities about the impending legislative changes and the effect it would have on the cities financially.

18. [Targeted Case Management \(TCM\)/Medi-Cal Administrative Activities \(MAA\)](#)

City Point Persons – **Scott Johnson**, Director of Finance, and **Albert Balagso**, Director of Parks, Recreation, and Neighborhood Services  
County Point Person – **Ira Schwartz**, Community Health Protection Division Director

**Est. Completion Date:** TBD.

**Synopsis:** The City funds Catholic Charities for home visitations. The County would like the City to provide written documentation in a timelier manner that the expenses are backed by the City as "certified public expenditures" so that the County can avoid audit exceptions. The City agrees to provide the documentation in time to meet the County's needs.

**County View:** The City funds Catholic Charities for a home visitation program. Catholic Charities, in turn, has a contract with the County for Targeted Case Management (TCM) billing. Each year, the City must demonstrate that the funds claimed by Catholic Charities as expenses are backed by the City as "certified public expenditures." This written documentation should be provided to the County in a timelier manner to prevent possible audit exceptions.

**City View:** The City funds Catholic Charities for a portion of a home visitation program through the Healthy Neighborhoods Venture Fund (project # SH028). On December 20, 2005, at the request of Catholic Charities, the City provided written documentation to Catholic Charities to demonstrate that City funds claimed by Catholic Charities are backed by the City as “certified public expenditures.” The City, working with Catholic Charities and the County, will determine the County’s timeline for submission of this documentation and provide the appropriate information to Catholic Charities for timely reporting to the County.

19. [Periodic Reports Concerning Red-Tagged or Fire-Damaged Property](#)

City Point Person – **Joe Horwedel**, Director of Planning, Building, and Code Enforcement  
County Point Person – **Larry Stone**, Assessor

**Est. Completion Date:** N/A.

**Synopsis:** The Assessor requests a monthly report of properties that have been red-tagged, or damaged by fire, etc. with damage estimated to be \$10,000 or more. While the Building Department can provide a monthly report, it does not calculate valuation (below or above \$10,000 in damage) until permit issuance so the information would not be available until some time after the incident. Still, Building is currently reviewing the process to determine if it can notify the Assessor of red tag and yellow tag properties.

**County View:** The County requests a monthly report, preferably in an electronic format such as an electronic data record, of properties that have been red-tagged, or damaged by fire or other calamity with damage estimated to be \$10,000 or more. The Assessor would use this information to contact the owner. When damage is in excess of \$10,000, property tax relief is available when a claim is timely filed. The Assessor’s interest in red-tagged property is to determine whether a diminution in value has occurred, which the Assessor is statutorily required to consider in the annual assessments. The absence of receiving this information has been singled out by the State Board of Equalization in its Audit of the Assessor’s Office as an area for improvement.

**City View:** Building inspectors survey all structures that have been severely damaged by incidents and they place red tags on buildings that are not habitable. Building has the capability to provide an automated monthly report of properties that receive damage surveys and are red tagged. Virtually all these properties have damage exceeding \$10,000. However, Building does not calculate valuation until permit issuance so this information would not be available to the Assessor for some time after an incident has occurred.

20. [Notification of New Subdivisions](#)

City Point Person – **Joe Horwedel**, Director of Planning, Building, and Code Enforcement  
County Point Person – **Larry Stone**, Assessor

**Est. Completion Date:** TBD.

**Synopsis:** The Assessor would like earlier reporting of new subdivisions. The City would like Assessor Parcel Numbers assigned earlier.

**County View:** The County requests reporting of new subdivisions prior to when the Final Subdivision Map is recorded. The Assessor would like to meet with City representatives to determine the appropriate point, earlier in the approval process, for notification to the Assessor. This would assist the Assessor in more efficiently processing the creation of new Assessor Parcel Numbers, building permits, and ownership changes. In so doing, the Assessor would be able to more timely create Supplemental Assessments, which would benefit both City and County tax collections.

**City View:** Delays in processing changes in ownership and accounting for new development creates difficulties for the City to deliver services efficiently. The City obtains copies of the Assessor's roll information and uses this information for many different customer service applications. The City currently grants the Assessor's staff access into the permitting system to obtain plan information to allow easier reassessments. The City would like to be able to have parcel numbers and addresses assigned earlier during the development process to reduce data entry work and resultant errors caused by changes to addresses and parcel number late in the development process.

The City has agreed to send reports currently produced by Planning staff for internal use to the Assessor's Office to assist them in anticipating large new developments that they can track easier for appropriate time to reassess the property. City staff will revise procedures to send to the Assessor staff approved Tentative Maps and Final Maps. The Assessor is also going to research State law provisions that they believe allow transmittal of plans from the City files that are currently protected by copyright law. If successful, this would allow the City to allow the Assessor staff access into documents not readily available for public access and reduce costs for the Assessor in conducting assessments.

21. [Improving the Timeliness of Assessments of Commercial Aircraft at SJC](#)

City Point Person – **Bill Sherry**, Aviation Director

County Point Person – **Larry Stone**, Assessor

**Est. Completion Date:** TBD.

**Synopsis:** The Assessor would like to develop more streamlined procedures for obtaining information from SJC for the timely assessment of commercial aircraft. SJC agrees to escorted access to facilitate an exchange of information.

**County View:** The County would like to develop more streamlined procedures for obtaining information from Mineta San Jose International Airport necessary for the timely assessment of commercial aircraft. These include commercial charter carriers that may have a home airport outside of this county and may be fractionally owned by the user landing at the airport. While the Assessor has had a long and productive relationship with the airport, it has become more difficult to obtain timely information since the formation of Homeland Security. The Assessor would like to explore the possibility of having one or more staff obtain an appropriate level of security clearance to facilitate the exchange of information.

**City View:** In order to accommodate the Assessor's needs, the Director of Aviation has agreed to provide escorted access to those secure areas of the airport to facilitate an exchange of information. This direction has already been conveyed to the Assessor by the Director of Aviation. When we receive the following information from the Assessor, we can make the arrangements to grant escorted access:

- ❖ Tenants/facilities the Assessor wants to inspect (appraise) in the secured areas of the airport;
- ❖ Name(s) of the individual(s) who need access along with relevant contact information; and
- ❖ Dates and times the Assessor would like to conduct the inspections/appraisals.

## Homeland Security and Emergency Preparedness

### 22. Homeland Security

City Point Person – **Kimberly Shunk**, City OES Director

County Point Person – **Bob Fracoli**, Acting County OES Director

**Est. Completion Date:** N/A.

**Synopsis:** The Super Urban Area Security Initiative (SUASI) is comprised of the 10 counties and 3 large cities that ring the San Francisco Bay, and is one of 35 throughout the nation. It receives Homeland Security grants to improve regional security capabilities. Eleven initiatives were funded in 2006 that are consistent with the National Preparedness Goal, which include providing mass care and improving interoperable communications. Assessment is taking place concerning our capabilities in each of the eleven initiatives. The assessments will create a baseline to build on. The analysis will also identify gaps and specific needs within the eleven initiatives that will be prioritized and addressed with current and future funds.

**City View: UASI 2004 & 2005:** The Urban Area Security Initiative (UASI) grants for FY 2004 and FY 2005 were awarded to City of San José and Santa Clara County, with City of San José acting as fiscal agent. In FY 2004, the South Bay received \$10 million; in FY 2005 the amount decreased to \$6 million. Funds were allocated to first responder organizations throughout Santa Clara County. The UASI Working Group met every other month to share information and vote on any needed reallocation of funds.

**Status:** San José/Santa Clara County met the 2004 UASI grant deadline with all of the money spent. Spending for the 2005 UASI grant is 94% complete, with only 5 equipment projects still outstanding. On August 7, 2007, the City and County jointly completed the largest remaining project: Tri-county microwave project (TriMac), which connects the public health labs in San Benito, Monterey, and Santa Cruz Counties with the diagnostic lab in Santa Clara County. This critical interoperable communications would not have been accomplished without the mutual dedication and leadership demonstrated by both Santa Clara County and the City of San Jose.

**SUASI 2006 & 2007:** The Super Urban Area Security Initiative (SUASI) is comprised of the 3 large cities and 10 counties that ring the San Francisco Bay. Governance has been formally established through a Memorandum of Understanding (MOU). The City and County of San Francisco is the fiscal agent. The Approval Authority oversees the grant; the Approval Authority consists of the emergency managers from the cities of San Jose, Oakland, and San Francisco, and the emergency managers from the counties in which they are located: Santa Clara, Alameda, and San Francisco. A Management Team handles the day-to-day work; the Management Team consists of 6 employees: a General Manager who is a retired firefighter from San Francisco, and 5 program managers from the East Bay, South Bay, and Peninsula.

**Status:** In FY 2006, the region was awarded \$28 million; in FY 2007, the amount increased to \$34 million. The Governor's Office of Homeland Security exercised its option to retain 20% of the award in both years, reducing the amount the region received in FY 2006 to \$22 million and in FY 2007 to \$27 million. Funds are allocated among twelve investment strategies. Working groups which correspond to each of the twelve investment strategies meet monthly to identify and prioritize projects within the investment strategy. Projects are then competitively awarded via RFP to consultants. The FY 2006 grant expires in March 2008, though San Francisco, as the fiscal agent, has shortened the deadline to December 31, 2007 so they have time to close out records. The FY 2007 grant expires in 2010, three years from date of award.

**County View:** The Bay Area SUASI is a Federal Department of Homeland Security grant that provides resources for the unique equipment, training, planning, and exercise needs of 35 selected national high-threat urban areas. The Bay Area SUASI is one of 35 national urban areas and one of five identified in California.

The Bay Area SUASI concept is designed to build greater regional capabilities across a larger geographical area. Super urban areas receive funding based on evaluated risk and need. This is accomplished through the submission of regional investment justifications that address specific needs to meet the target capabilities outlined in the National Preparedness Goal.

Twelve initiatives have been funded in 2006 that are consistent with National Preparedness Goal. They are:

- ❖ Expand Regional Cooperation
- ❖ Training and Exercise
- ❖ Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) Detection and Response
- ❖ Medical Surge
- ❖ Infrastructure Protection
- ❖ Mass Prophylaxis
- ❖ Interoperable Communications
- ❖ Information Sharing and Collaboration
- ❖ Public Information and Warning
- ❖ Mass Care
- ❖ Citizen Preparedness and Participation

A major goal of the 2006 SUASI plan is to conduct a detailed assessment of Bay Area capabilities as they relate to each of the twelve initiatives. The assessments will be analyzed to identify a baseline in which to build on. The analysis will also identify gaps and specific needs within the eleven initiatives that will be prioritized and addressed with current or future funds.

**Status:** The County has approved the MOU. Requests for professional services were posted and the vendors for each initiative have been selected. The contracts phase has begun and should be completed shortly at which time assessments will begin and be completed by December 31, 2007.

23. [Golden Guardian 2007](#) (Statewide Disaster Planning Exercise)  
City Point Person – **Kimberly Shunk**, City OES Director  
County Point Persons – **Bob Fracoli**, Acting County OES Director, and **Marty Fenstersheib**, Public Health Officer

**Est. Completion Date:** November 14, 2007.

**Synopsis:** The City and County are co-leading the Bay Area in the statewide disaster planning exercise on November 14. This year will test a health-related scenario that will involve the establishment of a Medication Center to dispense medication to persons at-risk from exposure to a biological agent as well as provide medication to first responders.

**City View:** With strong support from both the City of San José and Santa Clara County, the exercise coordinators from the Governor's Office of Homeland Security agreed that this year's exercise would include a scenario for a public health response to a bio-terror attack. Initially, the exercise was exclusively focused on a bomb exploding at a large stadium, near a public transit system. This exercise will give the County and cities throughout the County an opportunity to test their PODs. San José is currently coordinating with UC Berkeley's Center for Infectious Disease Control to provide evaluators for the public health component of the exercise. Public Information Officers from Santa Clara County and the City of San José have been working closely on a communications plan as part of this event.

**County View:** The County and the City are receiving guidance and assistance from the Governor's Office of Homeland Security Exercise and Evaluation Program (HSEEP) for this exercise. Since this event is the release of a biological agent, the County's Public Health Department is the lead agency in planning the response for a public health/medical emergency.

The scenario that will also involve the establishment of a Medication Center to dispense appropriate and necessary medication to persons at-risk from exposure to a biological agent, as well as to provide medication to first responders. The Public Health Officer has requested the City identify facilities and staff in order to be able to provide medications (mass prophylaxis) to city residents during a public health/medical emergency

24. [Mutual Aid Plan](#)

City Point Person – **Darryl Von Raesfeld**, Fire Chief

County Point Persons – **Derek Witmer**, Battalion Chief, South Santa Clara County Fire District, and **Ken Waldvogel**, Chief of Central Fire

**Est. Completion Date:** TBD.

**Synopsis:** The fire departments of the county have a Mutual Aid Plan. The most recent revision to the plan permits jurisdictions to provide *station coverage* for fire departments that have committed resources to an emergency. Continued growth in the southern portions of the county has significantly increased the number of mutual aid requests for San Jose resources. SJFD intends to re-negotiate the number of requests or create a fee-for-service arrangement. Both options will be discussed with the South Santa Clara County Fire District. The SSCCFD welcomes the conversation.

**City View:** The county fire departments have a Mutual Aid Plan. This cooperative agreement is reviewed and modified by the County Fire Chiefs on an annual basis. By most accounts, the current plan is working. The most recent revision to the plan permits jurisdictions to provide station coverage for fire departments that have committed resources to an emergency. This is in contrast to the Santana Row Fire in 2002, when jurisdictions could only respond to the actual emergency, which slowed response. The plan, however, is in need of additional revisions. Continued growth in the southern portions of the county (i.e., Morgan Hill, San Martin, etc.) has significantly increased the number of mutual aid requests for San Jose resources (e.g., Engine 27, Truck 13/18, Water Tender 13, etc.) to respond to structure fires. The volume of requests in 2006 is significantly greater than forecasted when the agreement between South Santa Clara County Fire District and the City was adopted by the Council. The increase in requests has created an inequity of resource requests between the City and South County. Potential remedies include reopening the existing Auto and Mutual Aid Agreement to restrict the number of resources and requests or creating a fee-for-service arrangement to compensate the City for the provision of its resources. Both of these options will require discussions between the City and the South Santa Clara County Fire Protection Board.

The Fire Department is scheduled to meet with the California Fire Department (Cal Fire), which is under contract to provide fire protection services within the South Santa Clara County Fire District, in the first week of May. In addition to wildland fire protection issues, the Department intends to initiate a dialog with Cal Fire regarding mutual aid responses into South Santa Clara County. Staff is currently working to define the number, type, and costs associated with these responses.

**County View:** The Board of Supervisors is the governing body for the South Santa Clara County Fire Protection District (SSCCFPD). It values its mutual aid agreements and realizes that in today's environment of increasing growth, fire departments must depend upon each other to provide the level of protection expected by our residents.

SSCCFPD recognizes that agreements need to be updated periodically and it welcomes the opportunity to meet with the City to discuss equitable options that will allow the continued sharing of resources.

## Public Safety

### 25. Fire Protection in Underserved Areas

City Point Person – **Darryl Von Raesfeld**, Fire Chief

County Point Person – **Ken Waldvogel**, Fire Chief

**Est. Completion Date:** TBD.

**Synopsis:** A LAFCO report identified "underserved areas" of the county that do not fall within the jurisdiction of any fire district. The County is interested in obtaining written commitments from existing fire districts to serve these areas when they fall within a jurisdiction's "sphere of influence." All jurisdictions reported they would continue to provide services in accordance with existing mutual aid agreements, but for SJFD, there are significant issues related to service level expectations and its capacity to provide service to these areas. This issue can be addressed by either adopting a recommendation found within the LAFCO report or by adopting an alternative approach that would enable existing jurisdictions to provide contractual services to these areas.

**City View:** At the last County Fire Chiefs' meeting, the issue of fire protection for unincorporated county areas not falling in an established fire district was discussed. These areas have been defined in a LAFCO report as "underserved areas" of Santa Clara County. The County Board of Supervisors is interested in obtaining written commitments from existing cities and fire districts to serve these areas, when they fall within a particular jurisdiction's "sphere of influence." This issue was first briefly discussed in 2002 with County Supervisor Don Gage without resolution. Recently, County Counsel sent a letter to fire departments requesting information on the level of service that has historically been provided and the willingness and level of service departments would continue to provide to these areas. San Jose's sphere of influence is estimated to include approximately 50,000 acres (79 sq. miles) of "underserved area." There are significant issues such as service level expectations, as well as the Department's capacity to provide service to these areas. Recommendations found within the LAFCO report may provide an appropriate starting point for this discussion and serve the City's interest of being a good neighbor without compromising local service levels.

At the April 4, 2007 County Fire Chiefs' meeting, Ken Waldvogel, Chief Engineer (a.k.a. Fire Chief) of the Santa Clara County Fire Department reported that all letters requesting written clarification regarding willingness of existing jurisdiction to serve "underserved areas" of the County had been received. In each case, queried jurisdictions reported they would continue to provide services in accordance with existing mutual aid agreements. In light of consensus of response, the County Board of Supervisors will have to address this issue by either adopting a recommendation found within the LAFCO report or by adopting an

alternative approach that would enable existing jurisdictions to provide contractual services to these areas.

While SJFD commends the Central Fire District for its leadership in this effort, the absence of formal protection districts in underserved areas of the county does not permit the development of formal agreements. The SJFD's response to earlier County inquiries regarding the Department's willingness to continue to respond addressed *existing* mutual-aid agreements. The City Attorney's response was clear on this issue stating "...new agreement concerning service outside the City's municipal boundaries would, of course, be subject to the approval of the San Jose City Council." The SJFD looks forward to the opportunity to create such agreements in the spirit of mutual cooperation.

**County View:** The "Countywide Fire Protection Service Review" report by the Local Agency Formation Commission (LAFCO), which was adopted on April 7, 2004, identified issues with the fire services delivery system in areas outside of organized fire protection jurisdictions. The LAFCO report identified four alternatives with respect to underserved areas of Santa Clara County. In addition, the Board of Supervisors' management auditor conducted an extensive analysis of the Central Fire District in 2005/2006. The final audit report also identified the existence of county residents without a designated Fire Protection Agency. The audit team recommended consideration of a governmental reorganization to resolve the existing deficit in fire protection, planning, and services within the county, and two recommendations were presented in the audit report.

Central Fire staff presented a progress report to a Board committee in June, 2006 on the management audit recommendations, and included a presentation concerning the "Underserved Area Fire Protection Work Plan." Several initial tasks were presented including the assessment of each city fire department and fire district's capability and willingness to continue response into underserved areas. Several of those tasks have been completed. Central Fire will present an updated briefing to the Board's Housing and Land Use Committee in next few months. Central Fire's role as a dependent fire district under the Board of Supervisors makes its response into the underserved similar to that of its municipal neighbors. Central Fire also desires reasonable resolution to the problem and are working with County staff in making progress to that end. Central Fire's chief will continue to maintain monthly reporting to the fire chiefs within the county on the progress toward resolving this issue.

26. **Domestic Violence**

City Point Persons – **Rob Davis**, Police Chief, and **Eve Castellanos**, Domestic Violence Coordinator

County Point Person – **Norma Doctor Sparks**, Director, Department of Family and Children's Services, Social Services Agency

**Est. Completion Date:** TBD.

**Synopsis:** The Greenbook Project arranged for a "safety audit," which identified ways that agencies could better protect families. The County is interested in discussing improving the

use of Emergency Protection Restraining Orders, enhancing the Joint Response Protocols, and revising the Domestic Violence Protocols. The City shares an interest in making improvements in these areas.

**County View:** The Greenbook Project coordinated polices and services to better serve families experiencing domestic violence and child abuse. In 2006, the Project arranged for a Safety Audit that focused on how government agencies and service providers could most effectively protect and assist these families. It would be constructive to discuss some of the following findings and audit recommendations with the City.

1. Emergency Protection Restraining Orders (EPROs) are perhaps not being issued by police officers as often as necessary to protect children from batterers. Based on this Safety Audit, the County would like to explore if EPROs are being fully utilized, and issues, such as:
  - ❖ Unintended consequences of EPROs.
  - ❖ The reasons why some victims do not want or support the issuance of an EPRO.
  - ❖ Resource issues that may make it difficult for the police officer to issue an EPRO.
  - ❖ The parameters that guide police officers regarding issuance of EPROS.
  - ❖ Training needs of police officers regarding their obligations to issue EPROS.
  - ❖ Alternatives for cases where Law Enforcement wants to issue an EPRO and the victim refuses.
2. The safety audit recommended that the Enhanced Joint Response protocols be evaluated and revised, if necessary, to include information about working with children when domestic violence is present.
3. The language spoken by the family seems to impact the early assessments and services identified for families experiencing domestic violence. The audit recommends:
  - ❖ Revise the Domestic Violence Protocol for Law Enforcement to advise officers that children should never be used as interpreters at the scene when interviewing victims or perpetrators. The protocol should also advise against using other family members and neighbors to interpret, as information given to the officer in these situations can be manipulated and unreliable.
  - ❖ Offer support and resources to expand the Domestic Violence Advocacy Consortium's Language Bank to serve broader needs.
  - ❖ Identify difficulties using "over the phone" or language lines for interpretation services. Provide training to improve officers' ability to utilize this service and research other models of interpretation services provided in other communities.
  - ❖ Certified professional interpreters need training on domestic violence.

**City View:** The City is interested in working with the County to sustain practices that were implemented as a part of the Greenbook Project, as well as exploring practices that should be implemented and/or strengthened as identified in the Safety Audit that was released in 2006. In addition, the City is interested in advancing and strengthening domestic violence-related initiatives as they relate to ensuring that victims of domestic violence have resources available to help them live free from violence, including housing issues (emergency shelter

and long-term transitional housing), job training and placement, and adequate access to support services. In addition, the City is interested in exploring methods so that our law enforcement can continue to strengthen their efforts to hold offenders accountable through effective intervention. Some of the areas that we are currently exploring in order to ensure batterer accountability and safe interventions, include the following:

1. EPROs Sought on Behalf of Children

While EPROs obtained on behalf of dependant children are an effective tool in domestic violence situations, officers must avoid the use of such orders as a means to circumvent the adult victim's lawful decision not to seek an EPRO. While the impact of domestic violence perpetrated between parents has numerous negative effects on minor children, the vast majority of domestic violence cases assessed by first responders do not involve known abuse directly against minor children. For the Court to intervene through the issuance of an EPRO, the batterer must place the child at risk by exhibiting certain behaviors such as physical abuse, verbal threats, neglect, or abusive conduct toward others in the household that directly threatens the child's safety. It is doubtful that the intent of the law enabling peace officers to seek EPROs on behalf of a dependant child was meant to be exercised when no direct or articulable threat to the child exists.

Training on utilizing EPROs to protect minor children has been a focus of annual department-wide training since 2005. We will continue to develop and implement further training on this topic; however department members will be directed to appropriately pursue this avenue of redress whenever the safety of the child is in question. Seeking an EPRO ostensibly on behalf of a minor child with the underlying intent being to circumvent the adult victim's wishes is a practice that must be avoided. In cases where the adult victim's wishes are contrary to the best interests of the child, an EPRO will be sought and DFCS will be notified to explore additional action.

2. The Greenbook Safety Audit recommended that the Enhanced Joint Response protocols be evaluated and revised, if necessary, to include information about working with children when domestic violence is present. We are interested in developing the protocol to maximize its efficiency to keep victims and children safe and holding batterers accountable.

3. Banning Officers from Using Children as Translators

Two of the four recommendations made by the Greenbook Project in regard to this issue are already implemented by SJPd (i.e., identify difficulties using "over the phone" or language lines for interpretation services. Provide training to improve officers' ability to utilize this service and research other models of interpretation services provided in other communities and revision of the Domestic Violence Protocol.)

This issue was discussed extensively at the annual meeting for the Domestic Violence Protocol, which included representatives from local law enforcement agencies, the District Attorney's Office, and community-based service providers and advocates.

Nevertheless, the domestic violence incident is a dynamic, dangerous and ever-changing situation for the first responder conducting the initial investigation. To totally restrict officers from using children as a translator is not a feasible alternative at this time. Using a child from the family is an option that must remain available. There are certain situations in which officers do not have a translator at their disposal in order to obtain the basic facts of what occurred. These situations most often occur when the parents speak in an uncommon native tongue. The only option in some cases is to use a juvenile family member, while we discourage this use, we continue to promote the alternatives that we do have in place for officers (including the Language Access Telephone Service Line and use of the Domestic Violence Advocacy Consortium's Language Bank.)

The San José Police Department recognizes the negative impact of using a child from the family as a translator in domestic violence situations. Since September 2005, that subject has been addressed during the Department's annual mandated training. Officers are trained to avoid, if they can, using the children as translators. Further, the City's Family/Domestic Violence Advisory Board is currently identifying best practices and methods related to this issue that have been adopted by other law enforcement agencies to recommend for implementation by SJPD.

27. [School Crossing Guards](#)

City Point Persons – **Jim Helmer**, Director of Transportation and **Rob Davis**, Chief of Police  
County Point Person – **Michael Murdter**, Director of Roads and Airports

**Est. Completion Date:** June 30, 2008.

**Synopsis:** The County contracts with the City for school crossing guards in unincorporated pockets. County funding will be exhausted by the end of this fiscal year. Absent new funding, these pockets will not have adult crossing guards.

**County View:** The City operates an extensive School Adult Crossing Guard Program and deploys a small number of guards at intersections in several unincorporated pockets in Districts 2 and 4 on a reimbursable basis through a cooperative agreement with Roads. This program was initiated by former Supervisor Simitian with an allocation from the General Fund and has been funded subsequently by District 2 and 4 Infrastructure Funds. The program works well and is a good example of City/County cooperation. County funding will most likely be exhausted by the end of FY08.

**City View:** Absent funding, the San Jose Police Department would no longer be able to provide adult crossing guards at unincorporated intersections.

28. [Services to Juvenile Offenders](#)

City Point Person – **Rob Davis**, Chief of Police  
County Point Person – **Sheila Mitchell**, Chief Probation Officer

**Est. Completion Date:** TBD.

**Synopsis:** The County believes that Juvenile Detention Reform is an effective rehabilitation strategy that is aligned with the goals of the Mayor’s Gang Prevention Task Force. The City is committed to strengthening its partnership with the County, particularly in the area of detention reform.

**County View:** In the Mayor's Gang Prevention Task Force (MGPTF) Strategic Plan, Goal 5 states:

The long-range goal of the MGPTF Technical Team is to create a seamless intervention-based service delivery system, one that establishes a single point of contact so that families and providers can easily access services, resources, and information. The MGPTF Technical Team will align and coordinate its Intervention Strategic Work Plan with other similar plans and initiatives in order to gain local, state, and national support, ensuring that San José youth remain safe and can maximize their fullest potential.

Objectives:

1. Identify local, state, and national initiatives that support intervention-based programs and formalize linkages with them. Example: **The County of Santa Clara’s Juvenile Detention Reform (JDR) Initiative**, United Way’s Greater San José Alternative Education Collaborative, Strong Neighborhoods Initiative, School City Collaborative, Workforce Investment Act, the State of California’s Office of the Attorney General, Family/Domestic Violence Advisory Board, and the National League of Cities Disconnected Youth Initiative.

The County’s JDR effort speaks to more effectively rehabilitating youth and has six key goals, which are in alignment with the Mayor’s Gang Prevention Task Force:

- ❖ Use data to determine where there are opportunities to reduce the unnecessary and inappropriate detention of youth.
- ❖ Reduce disproportionate minority confinement.
- ❖ Reduce unnecessary delay in case processing.
- ❖ Reduce unnecessary and inappropriate detention of youth.
- ❖ Control the Juvenile Hall “front gate” by developing and implementing effective admissions policies and practices.

**City View:** The City looks forward to the County’s participation and alignment with the strategic goals of the Mayor’s Gang Prevention Task force. City staff will continue to meet with the County to strengthen this partnership especially in the Juvenile Detention Reform Initiative. Recent examples of participation include the annual Retreat of the MGPTF, ongoing attendance of County staff in the MGPTF monthly Tech Team meetings, training of City Police Command staff in the Police Booking protocol and the Risk Assessment instrument. Future projects include a City/County review of the Risk Assessment instrument. The City is working with the County staff to explore strategies to reinstate the referral of the juvenile offenders into the Anti-Graffiti program.

29. [Spay and Neuter Program](#)

City Point Persons – **Albert Balagso** and **Jon Cicerelli**, Parks, Recreation, and Neighborhood Services

County Point Person – **Greg Van Wassenhove**, Director of Agriculture and Environment

**Est. Completion Date:** N/A.

**Synopsis:** The County is interested in obtaining resources from the City for spay/neuter services for San Jose residents. The City already offers this service so will, instead, provide referral information the County may give to San Jose residents.

**County View:** The County submitted a letter dated May 3, 2007 to the City requesting assistance in allocating City funds in the amount of \$40,485 to supplement County resources to continue the availability of spay/neuter program services to residents in San Jose.

**City View:** The City runs its own Animal Shelter and has these services available to its residents. The City will work with the County to provide reference and contact information for its shelter so that the County can refer San Jose residents.

## Health and Human Services

30. [Dental Health](#)

City Point Person – **John Stufflebean**, Director of Environmental Services

County Point Person – **Marty Fenstersheib**, Public Health Officer

**Est. Completion Date:** TBD.

**Synopsis:** Not all of San Jose's water is fluoridated. The Public Health Officer is interested in achieving full fluoridation because of its tremendous dental health, and, ultimately, overall physical health benefits. The City has expressed interest in working with the County, the water district, and water retailers to accomplish this goal.

**County View:** San Jose is the largest city in the United States whose water is not entirely fluoridated. Numerous studies have shown that dental health is critical to the overall health and well-being of children. Children who have poor dentition have difficulty thriving and learning, and are at increased risks for other infections. Poor and disadvantaged children are at the greatest risk. Water fluoridation has been shown to be the most cost beneficial means of ensuring that kids have the best chance for a healthy start toward good dental care.

State statute requires that the city be fluoridated, but only if adequate funding is available. Initial discussions with San Jose Water Company have been productive. There appears to be support, but some technological barriers will need to be overcome. The Health Officer would like to begin working with the City of San Jose toward achieving citywide fluoridation. Other cities in the county that have fluoridated water started the process by putting the issue on the ballot before moving forward.

**City View:** The City of San Jose's Municipal Water System (SJMWS) is one of three water retailers in San Jose along with San Jose Water Company (SJWC) and Great Oaks Water Company (GOWC). The SJMWS provides water service to 12% of the City, in the Evergreen, North San Jose/Alviso, Edenvale and Coyote areas. The SJMWS has been providing fluoridated water to the Evergreen Area (population 110,000) since 1965, and over the last three years fluoridated water has been supplied to the North San Jose/Alviso area. Edenvale is currently a campus industrial area and has no fluoridation. The City has made provisions in the new wells in Coyote to supply fluoridated water when the area is developed.

The City has a track record of providing fluoridated water and is willing to assist the County in working with the private water companies and Santa Clara Valley Water District to achieve citywide fluoridation.

31. [Planning for Impacts on Health and Safety Resulting from County Budget Reductions](#)

City Point Person – **Rob Davis**, Chief of Police

County Point Persons – **Nancy Pena**, Director of Mental Health, and **Bob Garner**, Director of Alcohol and Drug Services

**Est. Completion Date:** First Quarter, 2008.

**Synopsis:** The County is made significant reductions to the health departments' direct services. This will likely result in more mentally ill and drug-addicted patients on the streets. In order to better prepare and plan for the broader impacts, the department staff want to meet with relevant City staff in advance of the implementation of these cuts.

**County View:** As the County makes drastic budget reductions to our health and justice departments, the cumulative effect will affect health and safety in San Jose. One of the strategies Mental Health is implementing through new Mental Health Services Act (Prop. 63) funding, which may help to mitigate the impact of cuts, is the establishment of community-based urgent care centers. Mental Health will work with the San Jose Police Department to offer this new crisis service in an effort to avoid use of the more costly Emergency Psychiatric Services (EPS) located at Valley Medical Center. City and County staff should meet about the broader impacts so that all stakeholders can better understand and plan for them.

In addition, reduction of adult drug and alcohol services such as outpatient counseling and residential treatment will mean that substantial numbers of actively using drug addicts will remain untreated in the community, and these individuals will commit both drug offenses and drug-related offenses; many will be arrested and end up in jail.

**City View:** The proposed budget cuts for County Mental Health Services (MHS) will have a significant impact on San Jose Police resources. Specifically, the San Jose Police Department (SJPD) will be required to respond to more calls for service involving people of all ages in crisis due to a lack of available mental health services. Ultimately, officer and citizen injuries will increase as SJPD responds to calls where there is an increased potential for violence due to the involvement of persons with untreated, severe mental illness.

The SJPD has been working in partnership with MHS to develop the Urgent Care Center model which will attempt to meet the needs of many who have mental health issues. Additionally, the Department is planning to work together with MHS to explore a Mobile Crisis Response Team that would enlist the help of Police personnel and clinicians to respond to the needs of the mentally ill in the community who are in crisis.

32. **Health and Wellness Center**

City Point Person – **Angel Rios**, Deputy Director, Parks, Recreation, and Neighborhood Services

County Point Persons – **Robin Roche**, Director of Ambulatory and Community Health Services, and **Michael Lipman**, FQHC Director

**Est. Completion Date:** N/A.

**Synopsis:** The City is interested in a partnership with the County to develop and operate a health and wellness center for persons with disabilities. While the County believes this is a laudable ambition, it does not have the resources to participate in such an endeavor.

**City View:** PRNS staff is interested in exploring a partnership with the County of Santa Clara with the aim of jointly developing and operating a Health and Wellness Center for persons with disabilities. The current “Strategic Plan for Persons with Disabilities” adopted by the City Council in 2000 calls for the completion of a feasibility study to determine the viability of such a project. Former Supervisor Jim Beall previously expressed that the proposed project is in alignment with the County’s Santa Clara Valley Medical Center Expansion Master Plan.

**County View:** The program has merit, and the Health and Hospital System would be interested in learning more about the proposal. It is likely, however, that many of the patients would be unsponsored and would likely add to the burden of uncompensated care as the County continues to cut health and human services. The County is concerned about the impact to the Enterprise and General Fund associated with this proposed expansion of services and deems it unlikely that it could participate as a partner at the present time and in the foreseeable future.

33. **Transitional and Permanent Affordable Housing**

City Point Person – **Leslye Krutko**, Director of Housing

County Point Person – **Norma Doctor Sparks**, Director, Department of Family and Children’s Services, Social Services Agency

**Est. Completion Date:** TBD.

**Synopsis:** The County and City are collaborating on strategies to both house and provide supportive services to the unhoused through undertakings, such as, the Blue Ribbon Commission. This results in better serving this population and reducing the costs to do so.

**County View:** The Department of Family and Children’s Services (DFCS) has met with the City to discuss developments the City has identified as potential sites for scattered transitional housing as well as permanent affordable housing. Using the below market rate units for transitional housing could potentially extend DFCS’ budget greatly by reducing housing costs. The City wants to be involved in how DFCS approaches these affordable housing developers so they can help structure agreements to secure the units.

**City View:** The City and County are working cooperatively to end chronic homelessness through the Blue Ribbon Commission on Ending Chronic Homelessness in Ten Years and Solving the Affordable Housing Crisis in Twenty Years. We have met with County representatives about joining forces to link County service and housing funds with permanent housing units we are helping to finance. We are happy to continue these efforts, as our work to house the homeless will only be successful if we have both the housing stock (largely City subsidized) and funding to provide needed services and rent subsidies (largely County subsidized). We certainly agree that this effort will result in budget savings, because serving an *unhoused* person is infinitely more expensive than providing them with permanent housing with supportive services.

34. [Blue Ribbon Commission on Homelessness](#)

City Point Person – **Leslye Krutko**, Director of Housing

County Point Person – **Marjorie Matthews**, Director, Office of Affordable Housing

**Est. Completion Date:** TBD.

**Synopsis:** Board Chair Don Gage convened a Blue Ribbon Commission on Homelessness, of which the City is an active partner. Its purpose is to provide countywide leadership for the initiatives contained in the City and County’s 10-Year Plans to End Homelessness, as required for continued eligibility for Federal McKinney-Vento Grants. Working groups are focused on three principal areas: Prevent Homelessness, Shift to Housing First, and Increase the Housing Supply.

**City View:** The City of San Jose is very pleased with the effort to convene a Blue Ribbon Commission on Ending Chronic Homelessness in Ten Years and Solving the Affordable Housing Crisis in Twenty Years. Housing Department staff has been working with Maureen O’Malley Moore from Supervisor Don Gage’s Office and Margie Matthews from the Office of Affordable Housing to plan and staff the Commission and its working groups. We are confident that this effort, with this level of participation, will finally enable us to achieve the goal of ending chronic homelessness in the City and County.

**County View:** On March 22, 2007, Supervisor Gage convened a Blue Ribbon Commission on Ending Homelessness and Solving the Affordable Housing Crisis. The Commission consists of 27 community leaders from government, business, labor, and the non-profit sector and will meet quarterly. Working Groups, consisting of experts in their fields, have been established in three main areas: Prevent Homelessness, Shift to Housing First, and Increase the Housing Supply.

The purpose of the Commission is to provide countywide leadership and support for the initiatives originally contained in the County's and City's 10-year plans to end homelessness, as required for continued eligibility for Federal McKinney-Vento Grants. The Commission will also provide leadership and support for strategies contained in the recent LISC study, "Housing Silicon Valley: A 20-Year Plan to end the Affordable Housing Crisis."

The charge to the Commission is to:

- ❖ Review and adopt implementation strategies from the Working Groups.
- ❖ Launch a regional public education campaign to gain countywide support.
- ❖ Develop or access new sources of funding for housing and homelessness.
- ❖ Establish realistic goals and measurements for continuing success.

The goal is to raise awareness of housing and homelessness among community leaders, address the affordable housing crisis, and end homelessness.

On May 24, 2007, the Blue Ribbon Commission endorsed a number of immediate actions including: 1) Establishing a pilot project to improve access to benefits for the homeless; 2) Forming assessment committees to identify housing needs of individuals when they enter County systems (hospital, mental health, jails, and foster care) rather than at the time of discharge; 3) Working with apartment owners and service providers to make renting an apartment easier for prospective tenants.

35. [Community for a Lifetime – A Ten-Year Strategic Plan to Advance the Well-Being of Santa Clara County's Older Adults](#)

City Point Person – **Albert Balagso**, Director of Parks, Recreation and Neighborhood Services

County Point Person – **Betty Malks**, Director, Department of Aging and Adult Services, Social Services Agency

**Est. Completion Date:** TBD.

**Synopsis:** The County and City are co-partners in a long-term undertaking to advance the well-being of older adults.

**County View:** Community for a Lifetime is a joint effort between the City and the County. The plan was approved by the City Council and Board of Supervisors. The Plan contains next steps, which include the implementation of the Leadership and Coordination strategies that form the infrastructure for effective implementation of all other strategies.

Key points of concern:

- ❖ An agreement to share in the cost of a project manager with five agencies, including the City and County, to coordinate activities and the successful implementation of the Ten-Year Strategic Plan.
- ❖ The continuation of meetings of the Executive Council, formation of the Leadership Group, and the Service Advocacy and Coordination Group.

- ❖ The establishment of a public/private partnership.

**City View:** The City and County share a common view for the advancement of the Aging Strategic Plan, adopted in February 2005. Collaborative work through the Executive Council and newly hired Project Manager continues moving this unified effort forward. The launching of the Leadership Group, co-chaired by Councilmember Constant and Supervisor Gage will take place on June 28<sup>th</sup>.

36. [Medical Clinic on San Jose State University](#)

City Point Person – **Paul Krutko**, Chief Economic Development Officer

County Point Persons – **Robin Roche**, Director of Ambulatory and Community Health Services, and **Michael Lipman**, FQHC Director

**Est. Completion Date:** N/A.

**Synopsis:** San Jose State University (SJSU) is considering the development of an expanded clinic for student, faculty and staff health services. The City, through its “Beyond MLK” Initiative with the University is in discussions on how the City can help with moving this concept forward and if possible having this facility serve the surrounding community. The expanded health services for students are to be funded out of an increased student fee that has already been approved. The County’s Health and Hospital System is interested in learning if it can partner on a financially feasible basis.

**City View:** The concept of a medical clinic on the San Jose State campus was discussed at the April 25, 2007 City-County meeting. SJSU is currently engaged in reviewing options and City staff is providing information.

**County View:** The Health and Hospital System would be interested in learning more about the proposal, particularly if the State/City could partner with the County to fund the services as many of the students would be unsponsored, have limited (university-sponsored) coverage, or HMO coverage (Kaiser), which would not cover the services.

37. [Former San Jose Medical Center Site](#)

City Point Person – **Paul Krutko**, Chief Economic Development Officer

County Point Person – **Kim Roberts**, Executive Director, Santa Clara Valley Health and Hospital System

**Est. Completion Date:** N/A.

**Synopsis:** The City inquired about the County’s interest in designating the former San Jose Medical Center (SJMC) a future hospital site. The County communicated that it has no resources to operate additional hospitals as it has great difficulty financing its existing public hospital.

**City View:** Discussion of the County designating Twenty-Fourth Street and Santa Clara as a future downtown hospital site. The City is continuing to facilitate a community process on the reuse options for the former SJMC site.

**County View:** The County submitted to the City the Santa Clara Valley Health and Hospital System's Strategic Business Plan, which presents the County's long-term planning for ambulatory clinics, among other purposes. The County does not have a plan for building a hospital in downtown San Jose.

## Land Use, Master Planning, and Redevelopment

### 38. [Richey Army Reserve Site](#)

City Point Persons – **Ed Shikada**, Deputy City Manager, and **Laurel Prevetti**, Assistant Director of Planning, Building, and Code Enforcement

County Point Person – **Larry Klamecki**, Special Projects Manager

**Est. Completion Date:** First Quarter, 2008

**Synopsis:** The Board of Supervisors has been designated the Local Redevelopment Authority for the redevelopment and re-use of the 8.6-acre Richey Army Reserve Site. A City representative is a member of the LRA Committee, which acts on behalf of the LRA. The committee is presently entertaining two expressions of interest, one from the County and another from the Collaborative on Affordable Housing and Homeless Issues, to redevelop the site. A re-use plan will be submitted to HUD and US Army by the first quarter of 2008.

**City View:** The City has sent a letter to D.O.D in support of the County as lead agency in regard to the development of the Richey Army Reserve Site. D.O.D. has designated the County the lead in establishing a Local Redevelopment Authority (LRA) to reuse the site. If the proposed use is a non-County government use, then the City will have land use or authority over that use. Consequently, the County has requested a senior staff member with planning experience to serve on the LRA.

**County View:** The County has established the Local Redevelopment Authority and welcomes the participation of City representatives. The County Executive's Office will be coordinating what is expected to be a proposal for the use of all or part of the Army Reserve site for County government purposes. Consideration of the County proposal by the LRA will be in the context of all other proposals received for potential re-use including those from homeless service providers.

A five-member Local Redevelopment Authority Committee was appointed by the County Executive. The Committee published a public notice soliciting Notices of Interest in reuse and redevelopment of the Richey Army Reserve property. The committee received Notices of Interest from Charities Housing Development Corporation and the County of Santa Clara.

The Committee is studying the notices and requesting supplemental information to further clarify the respondents' submittals. Following receipt of the supplemental information, the Committee will have its land use consultant prepare conceptual site plans for each proposal, conduct public meetings in mid-Summer to receive public comments, and deliver its report to the County Executive in early November. The County Executive will then convey his recommendation to the Board, acting as the Richey Local Redevelopment Authority.

39. [San Jose State University Campus Planning](#)

City Point Persons – **Paul Krutko**, Director of Economic Development, and **Kim Walesh**, Assistant Director of Economic Development

County Point Person – **Patrick Love**, Asset and Economic Development Director

**Est. Completion Date:** TBD.

**Synopsis:** The County will be involved, as appropriate, in the San Jose State University Campus Planning process.

**City View:** At the Joint Meeting, the County asked that it include a County representative in Joint Planning Issues. The Office of Economic Development and Planning has added the County on the list of stakeholders to outreach to over the next 18 months of project where the County will be contacted and involved. A new joint stadium to house SJSU football and the Earthquakes professional soccer franchise is no longer under consideration. The joint planning process is continuing with a focus on opportunities for joint facilities and programming to serve community and university needs. A particular focus will be enhancing a “district” feel to the area through urban design and streetscape.

**County View:** The County has not yet been involved with the City in any discussions regarding San Jose State Campus planning, but would be pleased to participate, as appropriate, in the process. Developer Lew Wolff did approach the County in 2006 and met with the County Executive's Office about the potential use of the County Fairgrounds for a professional soccer stadium. Those discussions did not go beyond the initial stages.

40. [Reid-Hillview Airport Sound Insulation](#)

City Point Person – **Bill Sherry**, Aviation Director

County Point Person – **Michael Murdter**, Director of Roads and Airports

**Est. Completion Date:** TBD.

**Synopsis:** The County is interested in obtaining assistance from the City's noise insulation program in the event the County secures an FAA grant to insulate housing in the vicinity of Reid-Hillview Airport.

**County View:** When the County receives an FAA grant to insulate homes around the airport for sound attenuation, the County would like to piggyback on the City's sound insulation program, which has completed hundreds of homes around SJC. County Airports staff have had informal contact with the SJC noise program staff and they seem amenable to the idea.

**City View:** The City has had discussions with County Staff on this issue and are amenable to assist them with their sound insulation program. The City does not anticipate the program "winding down" in any significant way before the end of calendar year 2008 and anticipates the program continuing for some time afterwards in order to do follow-up work. A draft memorandum of agreement between the City and the County to do this work has been sent to the County for their review and comment. After review and comment by the County, staff will submit the agreement terms and conditions to City Council for consideration of approval in the Fall 2007.

41. [Reid-Hillview Airport Property Lease\(s\)](#)

City Point Person – **Joe Horwedel**, Director of Planning, Building and Code Enforcement  
County Point Person – **Michael Murdter**, Director of Roads and Airports

**Est. Completion Date:** TBD.

**Synopsis:** The County is interested in developing a corner parcel (Tully/Capitol) of Reid-Hillview Airport for non-aviation commercial uses. The City would have development jurisdiction over any commercial development of this parcel.

**County View:** The draft RHV Master Plan identifies several areas of airport property to be leased in the future for non-aviation commercial development including the vacant parcel at the corner of Tully Road and Capitol Expressway. The City will have land development jurisdiction with respect to the lessee's development of the parcel. The leasing process is still in its infancy so it will be some time before any land development application is made to the City.

A related issue is that VTA's Capitol Light Rail project will require a take of airport property frontage including some of the Tully/Capitol parcel. Although not strictly a City issue per se, the City is heavily involved in the pre-construction planning for the project and this issue directly impacts the Capitol Expressway relinquishment.

**City View:** The City is open to having discussions with the County on appropriate land development on the property. The City is interested in retail uses that support the existing and proposed car dealerships at this intersection. Uses will need to be designed to comply with the ALUC rules and specifically the Comprehensive Land Use Plan being considered for adoption by the ALUC.

42. [Capitol Expressway Relinquishment](#)

City Point Person – **Jim Helmer**, Director of Transportation  
County Point Person – **Michael Murdter**, Director of Roads and Airports

**Est. Completion Date:** TBD.

**Synopsis:** In 2004, the City approached the County about relinquishing Capitol Expressway. The staffs negotiated a draft agreement that would accomplish this in phases. The County

requests that the City either execute the agreement or formally notify the County that it is no longer interested in relinquishment and terminate negotiations.

**County View:** The City formally approached the County in April 2004 requesting that the County negotiate a relinquishment agreement for Capitol Expressway. The County is amenable to the relinquishment and over the past three years has worked with City Department of Transportation staff to negotiate a draft agreement that facilitates relinquishment of the expressway to the City by 2012 in phases based on specified triggers. However, the agreement appears to be stalled on the City's end, and the County requests that the City either execute the agreement developed by the respective staffs or formally notify the County that it is no longer interested in relinquishment and terminate negotiations.

**City View:** The intent of the Capitol Expressway relinquishment is to support the conversion of the expressway to include non-County standard facilities (e.g, light rail, sidewalks, bike lanes, lighting and landscaping) in the East Valley and Evergreen areas. The source of funding for expressway conversion improvements is by the VTA's light rail project (north of Tully) and by Evergreen development (Tully to McLaughlin).

In December 2006, the City Council directed staff to initiate negotiations with the County for relinquishment, and to bring the recommended agreement back to the City Council concurrently with the Evergreen development plan. Due to the City Council's denial of the Evergreen development plan (in June 2007), there are no current plans and funding sources to change the operations of Capitol Expressway south of Tully Road. Therefore, City staff proposes that Capitol Expressway only be relinquished to the City for the segment north of Tully Road in order to support implementation of the VTA's Capitol Expressway light rail project. Resolution of future jurisdiction for Capitol Expressway north of Tully Road is a "critical" issue for implementation of the light rail project.

Capitol Expressway has a total length of approximately 9 miles. The Capitol Expressway segment north of Tully that is affected by the light rail project represents approximately 30% of the expressway corridor.

43. [Household Hazardous Waste Program and Las Plumas Site](#)

City Point Person – **John Stufflebean**, Director of Environmental Services

County Point Person – **Greg Van Wassenhove**, Director of Agriculture and Environment Management

**Est. Completion Date:** TBD.

**Synopsis:** The City is interested in securing the County's support of its proposed household hazardous waste facility on Las Plumas. The County submitted a support letter and will be providing a representative to testify as necessary.

**City View:** The City received a letter of support from the County of the Las Plumas Site. The countywide Household Hazardous Waste (HHW) Program is administered by the County Environmental Health Program on behalf of nearly all Santa Clara County cities (all

except Palo Alto). The County has operated an HHW Facility at the City of San Jose Central Service Yard since 1995.

The countywide HHW Program ended operations at the HHW facility out of the City's Central Service Yard (CSY) in November 2006. The City is proposing relocating the HHW Facility to 1608 Las Plumas Avenue.

The City and County have proposed constructing the HHW facility in two phases. Phase I would provide temporary facilities at the Las Plumas site for a period of up to three years. Phase II would involve construction of a permanent structure in an area that is central to all San Jose residents.

**County View:** *The City requested the County take a position on a proposal to construct a Household Hazardous Waste collection facility as part of the development of the Las Plumas...*

Under a contractual agreement with the cities, the County manages a program for the collection and disposal of HHW at periodic events throughout the county, except in Palo Alto. Most of the events are staged at temporary sites, but it is less expensive to the City to use a permanent facility for the County-City cooperative HHW program in San Jose. The County would benefit from a permanent facility because it would be easier to operate and more secure than temporary locations. The County operated out of a similar permanent facility in San Jose in the past with no problems.

*The City requested the County comment on a letter sent in by the landlord of property on Las Plumas that the County leases for social services. The letter contends that County employees and their clients may be in harm's way if the HHW facility is constructed.*

County Counsel researched the issue with the Departments of Facilities and Fleet, Occupational Safety and Environmental Compliance, Mental Health, and Social Services. They were no concerns to report. There is also a recent environmental impact report completed by the City on the Las Plumas site. The two significant impacts are addressed though several mitigation measures. Given this information, the County is not concerned about impacts on Social Services Agency operations.

The County submitted a letter dated May 3, 2007 to the City expressing the County's support of establishing a permanent household hazardous waste facility. The County also agreed to have Greg Van Wassenhove testify at various forums about the County's position.

## Parks and Recreation

44. [Branham/Snell Right-of-Way, the Future Martial Cottle Park, and the Proposed Lester Community Garden in Martial Cottle Park](#)  
City Point Persons – **Albert Balagso**, Director of Parks, Recreation, and Neighborhood Services and **Timm Borden**, Deputy Director of Public Works

County Point Person – **Lisa Killough**, Director of Parks and Recreation

**Est. Completion Date:** TBD.

**Synopsis:** The County is presently master planning Martial Cottle Park, formerly known as the Lester Property, and the City is planning to design and construct a community garden within the park. In addition, the City is interested in securing right-of-way to widen Branham and Snell, which are directly adjacent to the park. The County is amenable to providing the right-of-way in exchange for a five-acre parcel adjacent to Almaden Quicksilver County Park and other improvements.

**County View:** For a couple of years, Parks has been negotiating with the City Public Works Department for right-of-way (ROW) that the City needs in order to widen Branham and Snell adjacent to Martial Cottle Park, formerly known as the Lester Property. The City requires five acres of the park for this project. The proposal under negotiation (and approved by the Board in closed session on April 10, 2006) would be for the City to compensate by providing the County: a five-acre parcel next to Almaden Quicksilver County Park; a \$500,000 contribution to the park development; utility stub-outs for the park development; and a sanitary and storm sewer connection fee adjustment. Current negotiations are focused on the Lester Community Garden, which the City is proposing to build and operate within Martial Cottle Park as part of its park development obligation.

In addition, Parks has recently learned that the City owns ROW on the south side of Highway 85, which could be useful for a trail connection (underneath the highway) to Martial Cottle Park. Parks has recently recommended including this property, known as the Cahalan ROW, into a compensation package, and the City has yet to respond to this proposal. Although negotiations have been moving slowly, it appears that this agreement is headed toward a favorable outcome. No date has yet been set for Board or Council action on the agreement. As an aside, Parks is about to kick off the master plan for Martial Cottle Park. The City stands to reap a tremendous benefit when this park is built as it will serve a neighborhood that has very few parks. Parks has a goal of opening Martial Cottle to the public in the next five years.

**City View:** PRNS is involved with the County Parks to develop a community garden on the Lester property. Staff have tentatively agreed that PRNS will design, construct, and manage a community garden on the Lester Site. The intent is to keep the capital investment from the City under \$500,000 to design and construct the garden.

This arrangement for the community garden will likely also be tied into the right-of-way transfer agreement being developed to give the City the necessary land on Branham Lane and Snell Avenue to widen the streets to their ultimate width. This agreement is being coordinated among Public Works, PRNS, and the City Attorney's Office and County Parks.

45. [Scott/Clifton Property](#)

City Point Person – **Albert Balagso**, Director of Parks, Recreation and Neighborhood Services

County Point Person – **Lisa Killough**, Director of Parks and Recreation

**Est. Completion Date:** TBD.

**Synopsis:** The City Redevelopment Agency requested \$500,000 from the Park Charter acquisition fund to assist with the acquisition of a half-acre parcel that would facilitate a neighborhood connection to the Los Gatos Creek Trail. More recently, it appears that the Agency desires development funds, not acquisition funds, from County Parks, which it does not have available. The City is still working with the property owner on soil contamination. If the owner does not agree to remediate the contamination, the Agency will have to consider its next steps.

**County View:** At the January 23, 2006 closed session meeting, the Board considered a City Redevelopment Agency request for \$500,000 from the Park Charter acquisition fund to be applied for acquisition of a half-acre parcel in the Burbank unincorporated area. This parcel would contribute to a neighborhood connection into the Los Gatos Creek Trail in downtown San Jose.

The Board indicated that it would support a funding contribution once the Branham/Snell ROW agreement has successfully completed. Neither the Parks Department nor City staff has pursued negotiations on this agreement since the closed session meeting. It is not clear at this juncture whether the City still expects the County to participate in this acquisition.

**City View:** The City has made an offer on the property, but the offer was contingent on a clean site being transferred to the City. Phase II soil testing indicated additional contamination. The property owner has expressed interest in cleaning up the site so the City is currently in discussions with the owner to determine the scope of the cleanup. Currently, the San Jose Redevelopment Agency is funding the property acquisition and development. If funding is available, the City would be interested in engaging in discussions with the County to assist with the development of this site.

46. [Willow Glen Spur Trail Acquisition](#)

City Point Person – **Ed Shikada**, Deputy City Manager

County Point Person – **Lisa Killough**, Director of Parks and Recreation

**Est. Completion Date:** TBD.

**Synopsis:** The Willow Glen Spur Trail, when completed, will connect three regional trails---Coyote Creek, Guadalupe River, and Los Gatos Creek. The County has committed \$2 million for the acquisition of property owned by the Union Pacific Railroad to make the trails connection. The City is working with UPRR to remedy soil contamination and is still in need of \$171,000 to fully fund the project.

**City View:**

1. Los Gatos Creek to Minnesota Avenue: Prior to securing a funding agreement with the County, the City secured Right of Entry agreements in order to conduct soil testing. The tests led to preparation of a report that documents high levels of arsenic and lead; however, the findings were inconclusive. UPRR and DTSC have since coordinated the preparation of a remediation plan. During this period, nothing has prevented UPRR from marketing its property for sale.
2. Los Gatos Creek to Coe Avenue: UPRR is discussing the sale of its property with a broker and private developer. The broker has provided an early conceptual rendering for residential development that would include homes facing a narrow cul-de-sac with sufficient space reserved for a trail. City staff has held preliminary discussions with the broker and identified trail width as an issue of concern, and awaits submittal of a development application to further refine the proposal.
3. Coe Avenue to Broadway Avenue: The same Broker and Developer are seeking to develop homes that would permit an attached sidewalk along 50% of the frontage, with the remainder designed as a conventional trail.
4. Broadway Avenue to Willow Street: Property being marketed for sale. Staff has been unable to secure the actual asking price, but UPRR has offered an estimated value of \$31/sf (\$1.97 million).
5. Willow Street to Minnesota Avenue: Property being marketed for sale. Staff has been unable to secure the actual asking price, but UPRR has offered an estimated value of \$31/sf (\$3.83 million).
6. Minnesota Avenue to Guadalupe River: Parcel was sold to private developer and housing project under construction, including a continuous trail.
7. Guadalupe River to Kelley Park: The City's Parks Director sent a letter to the County's Parks Director on June 26 outlining in detail the challenges with development of a trail in this area, and City staff's recommendation that an on-street alignment be pursued in this segment.
8. Kelley Park to 280 Freeway Undercrossing: Due to UPRR's asking price, City staff is developing a plan to construct trail improvements without acquisition of the UPRR right-of-way.

Funding for the Acquisition of the Willow Glen Spur Trail is:

- \$763,250 Park Trust Funds from Council District 6
- \$965,813 County Match
- \$300,000 SCVWD Grant
- \$800,000 Prop. 40 Grant

- \$1,000,000 Open Space Authority (2003)
- \$1,000,000 Open Space Authority (2004)

Total: \$4,829,063

City is seeking to appropriate the funds for use of all grant funds in October 2007 and proceed immediately with negotiating the purchase of parcels between Willow Street and Minnesota Avenue.

Pursuing acquisitions to the east of Guadalupe River is outlined in the June 20 letter.

**County View:** On September 28, 2004, the Board approved a \$2 million funding agreement between County Parks and the City for acquisition of property to build the Willow Glen Spur Trail. This trail, when implemented, will connect three regional trails noted in the Countywide Trails Master Plan: Coyote Creek, Guadalupe River, and Los Gatos Creek. The County's \$2 million has yet to be transferred because the City is still negotiating with the landowner, Union Pacific Railroad (UPRR), for the sale. The negotiations are going slowly as the City works through the acquisition details, including some issues related to contaminants. City staff has recently requested and been granted an extension of time to acquire the property. The County's contribution is predicated on a 1 to 4 ratio - meaning for every dollar that the County contributes to the acquisition, the City will contribute four dollars. This arrangement will encourage the City to purchase as much, if not all, of the property needed for the complete alignment in exchange for the County's full funding. Once the property is acquired, the County will have no responsibility for development and operation of this trail. County Parks is supportive of the overall intent of this agreement.

47. [Shady Oaks Park at Coyote Creek Parkway](#)

City Point Person – **Albert Balagso**, Director of PRNS

County Point Person – **Lisa Killough**, Director of Parks

**Est. Completion Date:** Second Quarter 2008

**Synopsis:** The City is currently engaged in a Citywide Sports Field Study, which will be completed in early 2008. One of the subject sites is Shady Oaks, a park within the County's Coyote Creek Parkway. If Shady Oaks surfaces as a priority site out of this study, the City will re-engage the County and the local community in discussions about the potential size and scope of a soccer complex. The County is generally supportive if the complex is of an appropriate scale and has a sufficient buffer zone for the creek.

**County View:** The City leases a portion of Coyote Creek Parkway and has built and maintains a neighborhood park called Shady Oaks (near the intersection of Silver Creek Valley Blvd.). Since completion of the City's Park Strategic Plan (called the "Greenprint"), there has been a goal of expanding Shady Oaks Park to include a soccer complex. The current leasehold includes undeveloped land that could be used for such purpose. Councilmember Forrest Williams and City staff have made a few presentations to the County and City Parks and Recreation Commissions over the past three years regarding this

proposal. The County Parks Commission has expressed support for a complex to the extent that the neighborhood values are preserved and the riparian corridor is protected. At this juncture, it does not appear that the City has reached consensus with the neighborhood regarding the design and the project is at a standstill. Should the City resume discussions on the design, County Parks would advocate for a scaled back design that provides a greater buffer zone for the creek and neighborhood.

**City View:** The City is currently engaging in a Citywide Sports Field Study which will be completed in early 2008. One of the purposes of this study is to work with the community to identify and prioritize sites for additional sports facilities. If Shady Oaks surfaces as a priority site out of this study, the City will re-engage the County and the local community in discussions regarding the potential size and scope of the facility.

### Special Events

48. [Cirque du Soleil](#)

City Point Person – **Paul Krutko**, Chief Development Officer

County Point Person – **Patrick Love**, Asset and Economic Development Director

**Est. Completion Date:** First Quarter, 2008.

**Synopsis:** Cirque du Soleil is making a return engagement to the County Government Center in the first quarter of 2008. The City and County will collaborate to ensure that it will cause a minimum of disruptions.

**City View:** The City has negotiated a preliminary agreement with Cirque du Soleil for a return engagement in January of 2008 through March 2008, with show dates from January 24 to March 9, 2008 for a total of approximately 60 shows. The site occupation period would be therefore from January 7 to March 21, 2008 at the San Pedro/Mission site (E-Lot). If this agreement is finalized, the City would meet with the County immediately, review the prior event, and determine appropriate steps and communications to minimize impacts on the surrounding government services, residents, and businesses. An alternative concept to bring Cirque to a downtown site is presently being evaluated.

**County View:** The County Executive's Office coordinated successfully with the City Manager's Office on the 2006 Cirque du Soleil event and will continue this collaboration for the 2008 event. Issues of concern for the County include the affect on County Civic Center operations, traffic, and road closures on San Pedro Street, potential impacts on County parking lots, and impacts on the operations of the County Public Defender's Office.

49. [Amgen Tour of California/Webcor King of the Mountain](#)

City Point Person – **Paul Krutko**, Director of Economic Development

County Point Person – **Michael Murdter**, Director of Roads and Airports

**Est. Completion Date:** N/A

**Synopsis:** The Amgen Tour of California is an annual professional cycling eight-day stage road race from the Bay Area to the LA Basin modeled after the Tour de France. This year's race will be from Sunday, February 17 to Sunday, February 24. Palo Alto and San Jose will host stages this year. This is the third time in three years that San Jose has been selected as a host city. San Jose's stage will be Wednesday, February 20 with the racers departing in the morning from Modesto and entering Santa Clara County and San Jose through the east foothills with a route that will have them finishing at San Jose City Hall. The King of the Mountain is a pre-race event held on a Saturday before the start of the ToC sponsored by the City of San Jose and the Silicon Valley Leadership Group on a segment of the official race course for amateur cyclists as a fund and awareness raising event (health and the environment). The official race and the KOM pre-event are partly routed on County roads. The County wants the race and the KOM to be better organized to minimize disruptions to residents who use these roads by receiving earlier and reliable notification of requested road closures that can then be used to notify residents. The City is committed to meeting the County's expectations in this regard.

**Background:** The Sierra Road climb was a part of the route the cyclists followed in the 94.6-mile road race stage held on Wednesday, February 21, 2007 from Stockton to San Jose, finishing at City Hall. The WEBCOR San Jose King of the Mountain Ride, was held on Saturday, February 17, and it included the Sierra Road climb, which is within the City limits. The riders, after cresting Sierra, returned to downtown San Jose by riding on County roads (Felter and Calaveras Roads) before re-entering the City on Piedmont Road. This required a total road closure for approximately an hour (noon to 1pm) that was managed by the San Jose Police Department. \$14,000 was donated from the King of the Mountain event to Fit for Learning, a program of the County Office of Education in cooperation with Healthy Silicon Valley that addresses the crisis of childhood obesity.

**City View:** The annual race route is chosen by the race organizers, AEG and Medalist Sports, and the State of California, which is coordinated through the Highway Patrol. The City recognizes the impact on County residents and businesses in unincorporated areas and on County roads and will use its resources to mitigate impacts. For the ToC, the Highway Patrol, in conjunction with local law enforcement, uses a technique of rolling street and road closures ahead of racers and total closures in some areas that Highway Patrol deems necessary. Chief Development Officer Krutko will be scheduling a meeting with the appropriate County staff in the next thirty days to work on a plan acceptable to the County for the ToC and KOM for February 2008.

**County View:** These events have resulted in inconvenience to County residents in the past due to road closures, traffic, and lack of timely notification. February's King of the Mountain ride required a total road closure of Felter Road despite the City's assurances that no closure would be required. Roads is developing a formal road closure policy for consideration by the Board.

While the County supports regional events of interest to the larger community, it also has a responsibility to ensure local residents are not unduly inconvenienced. This can be accomplished through better event coordination among the relevant public agencies.