



CITY COUNCIL AGENDA

SEPTEMBER 12, 2000

SYNOPSIS

LINDA J. LE ZOTTE
CHARLOTTE POWERS
CINDY CHAVEZ
VACANT
MANNY DIAZ

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

FRANK FISCALINI
GEORGE SHIRAKAWA, JR.
ALICE WOODY
JOHN DIQUISTO
PAT DANDO

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

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

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

1 CALL TO ORDER AND ROLL CALL

9:30 a.m. - Closed Session, Room 600, City Hall

Absent: Council Members – None.

Vacant: District 4.

1:30 p.m. - Regular Session, Council Chambers, City Hall

Absent: Council Members – None.

Vacant: District 4.

2 INVOCATION

Pastor Stephen Dietrich, Evergreen Presbyterian Church, delivered the invocation. (District 8)

3 PLEDGE OF ALLEGIANCE

Mayor Gonzales led in the Pledge of Allegiance.

4 ORDERS OF THE DAY

Approved with the meeting adjourned in memory of Retired Fire Capt. William Lamb.

5 CEREMONIAL ITEMS

- a. **Presentation of plaque to Lilia Agüero for 2 years 9 months service on the Child Care Commission. (Mayor.**

Mayor Gonzales presented the plaque to Lilia Agüero and thanked the Commissioner for her service to the City of San José.

6 CONSENT CALENDAR

a. Minutes for Approval

None.

b. Ordinances for Final Adoption

None.

c. Public Hearings Set by Council

None.

d. Plans and Specifications

- (1) TRACT NO. 9089 - Nob Hill Drive cross Fleming Avenue - Uptrend Development Group, Inc. (Developer) - 5 single family dwelling residential units. Adoption of resolutions approving the plans, final map, and contract for Tract No. 9089. CEQA: ND. District 5. (Public Works)
[Deferred from 8/29/00 – Item 6d(3) and 9/5/00 – Item 6d(3)]
Resolution Nos. 69889-69891 adopted.

- (2) TRACT NO. 9284 - Southwest corner of Piedmont Road & Sierra Road - SUMMERHILL Piedmont LLC, A California limited liability company, SUMMERHILL HOMES LLC, a California limited liability company, its Manager, (Developer) - 39 single family detached residential units. Approval of a parkland agreement and adoption of resolutions approving the plans, final map, and contract for Tract No. 9284. CEQA: Negative Declaration. District 4. (Public Works)
The Parkland Agreement Approved.
Resolution Nos. 69892-69894 adopted.

e. Contracts/Agreements

- (1) Approval of agreements with the following non-profit recycling and reuse organizations for redirecting reusable and recyclable materials from local landfills, in a total amount not to exceed \$685,000:
- (a) Goodwill Industries of Santa Clara County in an amount not to exceed \$462,000.
Approved.
- (b) The Salvation Army in an amount not to exceed \$198,000.
Deferred to 10/10/00.
- (c) St. Vincent de Paul Society in an amount not to exceed \$25,000. (Environmental Services)
Approved.

6 CONSENT CALENDAR

e. Contracts/Agreements

- (2) Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 #10, and authorization for the Director of General Services to execute the purchase orders. (General Services)

Approved.

- (3) Award the sole source purchase of an Accom Affinity Editing System, a computer-based editing system, to the Waterford Group for the City's Cable Channel, at a total cost of \$88,063.16, including tax and freight, and authorization for the Director of General Services to execute the purchase order. (General Services)

Approved.

- (4) Report on bids and award of contract for the Rancho del Pueblo Driving Range Netting Enhancements Project to the low bidder, Judge Netting, in the amount of \$128,626, and approval of a contingency in the amount of \$15,000. CEQA: Exempt. (Public Works)

Approved.

- (5) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Pacific Bell/SBC for a Nortel Meridian PBX and computer telephony integration software and implementation services for the Customer Service Center (Call Center) Project, in an amount not to exceed \$120,000, for the period September 12, 2000 to June 30, 2001. (City Manager's Office)
(Rules Committee referral 9/6/00)

Resolution No. 69895 adopted.

f. Routine Legislation

- (1) Adoption of appropriation ordinance amendments in the Anti-Tobacco Master Settlement Agreement Revenue Fund in the amount of \$331,000 for the Administration of the Healthy Neighborhoods Venture Fund Program. (City Manager's Office)
(Rules Committee referral 9/6/00)

Ordinance No. 26202 adopted.

END OF CONSENT CALENDAR

7 COMMISSION, COMMITTEE, AND STANDING REPORTS

a. Report of the Study Session

Mayor Gonzales, Chair

No Report.

b. Report of the Rules Committee – August 30, 2000

Vice Mayor Fiscalini, Chair

- (1) Review September 12, 2000 Draft Agenda
The Committee approved the September 12, 2000 City Council Agenda.
- (2) Add New Items to September 5, 2000 Amended Agenda
The Committee recommended three additions to the September 5, 2000 City Council Agenda.
- (3) Meeting Schedules
None Presented.
- (4) The Public Record
No Public Record Filed.
- (5) 2000 League of California Cities Resolutions

This Item Reported to Council on 09/05/00.
- (6) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee
None Presented.
- (7) Oral Communications
None Presented.
- (8) Adjournment
The meeting was adjourned at 2:05 p.m.

The Rules Committee Report and actions of August 30, 2000 accepted.

c. Report of the Finance and Technology Committee

Council Member Woody, Chair

No Report.

d. Report of the Economic and Community Development Committee

Council Member Diaz, Chair

No Report.

7 COMMISSION, COMMITTEE, AND STANDING REPORTS

- e. **Report of the Transportation and Environment Committee
Council Member Powers, Chair
No Report.**

- f. **Report of the Education, Neighborhoods, Youth, and Seniors Committee
Council Member Shirakawa, Jr., Chair
No Report.**

8 LAND USE AND DEVELOPMENT

- a. PUBLIC HEARING on Historic District amendment to expand the River Street City Landmark Historic District to include eight additional properties located west of N. Almaden Street on both sides of W. St. John Street, and adoption of a resolution approving or disapproving the proposed expansion. (Vellequette-Winninger Investors and Green Valley Corporation, Owners). CEQA: Resolution No. 64273. Historic Landmarks Commission recommends approval (7-0-0).

HD 97-107 – District 3

(Continued from 8/1/00 – Item 8a et al., and 8/29/00 – Item 8a)

Resolution No. 69896 adopted.

Council directed Staff to report back to Council on the financial obligation to the City and budget requirements to support the proposal, the expected timeline for completion of the plans and expansion projects, mechanisms for monitoring progress, and feasibility of using the parking area across the street from Henry's Hi-Life Restaurant.

9 GENERAL GOVERNMENT

- a. Approval of an agreement with Pacific Gas & Electric Company (PG&E) for conversion of overhead facilities to underground facilities, within the combination Rule 20A/In-Lieu Fee (Rule 20B) Underground Utility District at Capitol Avenue (Phase I), in the amount of \$1,124,816. CEQA: Resolution No. 69501.1. (Public Works)
Deferred to 09/26/00.

- b. (1) Approval of the Independent Police Auditor's response to the Grand Jury Report regarding the Investigation on the Oversight Systems for Reviewing Use-of-Force Cases in the San Jose Police Department.
(Office of the Independent Police Auditor)
Deferred to 09/19/00.

This item continued on the next page.

9 GENERAL GOVERNMENT

- b. (2) Approval of the City Manager's response to the Grand Jury Report regarding the Investigation on the Oversight Systems for Reviewing Use-of-Force Cases in the San Jose Police Department. (City Manager's Office)
(Rules Committee referral 9/6/00)
Deferred to 09/19/00.

- c. Approval of the City Attorney's response to the Grand Jury Report regarding the Inquiry into Economic Evaluation of the Cost of Relocating San José City Hall to the Downtown Area. (City Attorney's Office)
(Rules Committee referral 9/6/00)
Deferred to 09/19/00.

- d. Approval of the City Manager's response to the Grand Jury Report regarding the Inquiry into Alleged Violations of the City of San José Code of Ethics. (City Manager's Office)
(Rules Committee referral 9/6/00)
Deferred to 09/19/00.

Items 9b, 9c, and 9d deferred with direction to City Administration to distribute the Grand Jury Reports to the City Council for review and appropriate action on 09/19/00.

- e. Public Hearing on the 1999-2000 Consolidated Annual Performance Evaluation Report (CAPER). (Housing)
(Rules Committee referral 9/6/00)
The Public Hearing Opened.
No Public Testimony Presented.
The Public Hearing Continued to 09-26-00.

10 FISCAL AFFAIRS

11 JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEMS

12 PERMITS AND LICENSES

13 PUBLIC SAFETY AND WELFARE

14 CLOSED SESSION REPORT

15 ORAL COMMUNICATIONS

- (1) Mel Pritchard asked for the City Council's assistance with contract negotiations between Arena workers and the San José Arena Management. Mr. Pritchard to provide Council with written information.**
- (2) Ross Signorino expressed his appreciation to the City Council for extending certain courtesies to a previous speaker.**
- (3) Mark Trout addressed Council.**

16 ADJOURNMENT

The City Council recessed at 3:00 p.m. and reconvened in joint session with the San José Financing Authority.

The Council of the City of San José adjourned at 3:20 p.m. in memory of Retired San José Fire Captain William Lamb, who served as employee relations officer for the San José Fire Department, and as President of the Firefighters Union.

