

CITY COUNCIL AGENDA

NOVEMBER 5, 2002

SYNOPSIS

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

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER
GEORGE SHIRAKAWA, JR.
DAVID D. CORTESE
JOHN DIQUISTO
PAT DANDO

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Economic and Neighborhood Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Recreation and Cultural Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Aviation Services*** — Provide for the air transportation needs of the community and the region at levels that are acceptable to the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

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

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

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

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

The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas and Staff Reports for City Council items may be viewed on the Internet at www.ci.san-jose.ca.us/cty_clk/agenda.htm

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

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

- **Call to Order and Roll Call**
9:30 a.m. - Closed Session, **CANCELED**

1:35 p.m. - Regular Session, Council Chambers, City Hall
Absent - Council Members: Shirakawa, Jr. (Excused)

7:00 p.m. - Evening Session **CANCELED**
- **Invocation (District 10)**
Pastor Robert Weller, Shepherd of the Valley Lutheran Church, delivered the Invocation.
- **Pledge of Allegiance**
Mayor Gonzales led the Pledge of Allegiance.
- **Orders of the Day**
Approved.

1 CEREMONIAL ITEMS

- 1.1** Presentation of commendations to City Year, the San José Police Officers' Association, the Santa Clara Deputy Sheriffs' Association, the Valley Transportation Authority, and the San José Family Violence Center for their time, advertising space, and financial resources contributed over the past five years to the Annual Elected and Public Officials Walk Against Domestic Violence. (Dando)
Mayor Gonzales was joined at the podium by Council Member Dando for presentation of commendations to Don DeMers, representing the San Jose Police Officers Association, Jose Salcido, representing the Deputy Sheriffs' Associations, Peter Cipolla, representing the VTA, Heather Keag, representing City Year, and Peter Decena, representing The San Jose Family Violence Center in recognition of their support for the City of San José's October Walk Against Domestic Violence activities.

1 CEREMONIAL ITEMS

- 1.2 Presentation of a commendation to Cypress Senior Center on the occasion of its 20th anniversary. (LeZotte)
(Rules Committee referral 10/30/02)

Joining Mayor Gonzales for presentation of a commendation to the Cypress Senior Center, Council Member LeZotte commended the Center for the valuable services provided to Seniors. Accepting on behalf of the Center was Gerontology Supervisor Pat Maier.

2 CONSENT CALENDAR

2.1 Approval of Minutes.

Recommendation: Approval of City Council Minutes for:

- (a) Regular meeting of April 30, 2002
Approved.

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances:

- (a) ORD. NO. 26761 – Amends Section 20.10.610 of Chapter 20.100 of Title 20 of the San José Municipal Code to exempt re-roof projects meeting specified criteria from the requirement of a Site Development Permit; and amends Section 20.30.230 of Chapter 20.30 and Section 20.100.1300 of Chapter 20.100, to modify the size of a substandard lot for residential uses.
Ordinance No. 26761 adopted.
- (b) ORD. NO. 26762 – Amends Section 23.04.020 of Chapter 23.04 of Title 23 of the San José Municipal Code to modify the boundary of the Innovation Triangle s/o/a
Ordinance No. 26762 adopted.
- (c) ORD. NO. 26764 – Amends Title 14 of the San José Municipal Code by adding a new Chapter 14.06 relating to procedures for dispute avoidance and dispute resolution for Public Works construction projects.
Ordinance No. 26764 adopted.
- (d) ORD. NO. 26765 – Adopts an amendment to The Alameda, Almaden Gateway, Alum rock Avenue, Century Center, East Santa Clara Street, Edenvale, Guadalupe-Auzerais, Japantown, Jualian-Stockton, Market Gateway, Olinder, Park Center, Pueblo Uno, Rincon de Los Esteros, San Antonio Plaza, Story Road, and West San Carlos Redevelopment Plans to delete the time limitation on the date to incur debt.
Ordinance No. 26765 adopted.

2 CONSENT CALENDAR

2.3 Approval of the Fiscal Year 2002-2003 HP Pavilion at San José Capital Repairs and Replacements Budget.

Recommendation: Approval of the Fiscal Year 2002-2003 HP Pavilion at San José Capital Repairs and Replacements Budget submitted by Compaq Center Management. CEQA: Not a Project. (San José Arena Authority)
(Deferred from 10/15/02 – Item 2.11)

Approved.

2.4 Approval of the lease of airport premises for office space at 1455 Airport Boulevard.

Recommendation: Approval of a first amendment to the lease of airport premises with Integrated Airline Services for office space at 1455 Airport Boulevard, to extend the term of the lease through November 14, 2007, with annual rental revenue to the City in the amount of \$4,200. CEQA: Resolution No. 67380, PP 02-10-298. (Airport)

Approved.

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

Recommendation: Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2002-2003 10, and authorization for the Director of General Services to execute the purchase orders. CEQA: Not a Project. (General Services)

Approved.

2.6 Approval of an agreement for purchase of real property for the Barberrry Lane Sidewalk Project.

Recommendation: Approval of an agreement for purchase of real property located north of Barberrry Lane and adjacent and west of Corda Drive and an immediate right of entry thereon, by and between the City of San José and Jorge Segura and Micaela Segura for \$62,200, for the Barberrry Lane Sidewalk Project. CEQA: Exempt, PP 02-01-001. Council District 8. SNI: West Evergreen. (Public Works)

Approved.

2.7 Approval to award a contract for the Columbus Park Irrigation Renovation Project.

Recommendation: Report on bids and award of contract for the Columbus Park Irrigation Renovation Project to the low bidder, DB Landscape, to include the base bid and Add Alternate No. 1 in the amount of \$116,300, and approval of a contingency in the amount of \$12,000. CEQA: Exempt, PP02-03-034. Council District 3. (Public Works)

Deferred to 11/19/02.

2 CONSENT CALENDAR

2.8 Approval to award a contract for the Improvement of Sunset Avenue Project.

Recommendation: Report on bids and award of contract for the Improvement of Sunset Avenue Project to the low bidder, Joseph J. Albanese, Inc., in the amount of \$259,558, and approval of a ten percent contingency in the amount of \$26,000. CEQA: Exempt, PP02-04-075. Council District 5. SNI: Mayfair. (Public Works)

Approved.

2.9 Approval of an agreement for architectural consultant services for Fire Station Nos. 4 and 13.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Sugimura & Associates for architectural consultant services for Fire Station Nos. 4 and 13, from the date of execution to October 24, 2004, in the amount of \$287,500, and additional services in the amount of \$42,000, for a total agreement amount of \$329,500. CEQA: Exempt, PP02-10-294. Council Districts 6 and 9. SNI: (FS No. 4) Burbank/Del Monte. (Public Works)

Resolution No. 71286 adopted.

Staff directed to provide lists of all twenty fire stations to be upgraded; to include in the planning process a second set of turnout rack, a separate exercise area, and improved ventilation for Station No. 13.

2.10 Approval to set a public hearing and vacate a portion of San Fernando Street.

Recommendation: Adoption of a resolution of intention to vacate:

- (a) A portion of San Fernando Street between Bush and Wilson Streets, reserving a public service easement and a pedestrian access easement over the vacated area; and
- (b) Setting a public hearing on November 26, 2002 at 1:30 p.m.

CEQA: Resolution No. 68748. Council District 6. (Public Works)

Resolution No. 71287 adopted.

2.11 Approval of Contract Change Order for the Fourth Major Interceptor Phase V/VA Project.

Recommendation: Approval of Contract Change Order No. 8 with Mountain Cascade, Inc., for the Fourth Major Interceptor Phase V/VA Project in the amount of \$328,996.06, for a total contract amount of \$22,416,891.64, and a time extension of 7 working days, for a total of 388 working days. CEQA: Resolution No. 60197, PP 97-10-213. Council District 4. (Public Works)

Approved.

2 CONSENT CALENDAR

2.12 Approval of leases related to the new Interim Federal Inspection Services Facility.

Recommendation:

- (a) Adoption of a resolution authorizing the City Manager to negotiate and execute an eleventh amendment to the Scheduled Airline Terminal Building Lease with American Airlines, Inc., to provide for the reallocation of gates in connection with the opening of the new Interim Federal Inspection Services Facility, with monthly revenue to the City of \$245,371.
- (b) Adoption of a resolution authorizing the City Manager to negotiate and execute a Lease of Airport Premises with American Airlines, Inc., for the new Interim Federal Inspection Services Facility, with annual revenue to the City of \$77,345.

CEQA: Resolution No. 67380, PP 02-09-252. (Airport)

(Deferred from 10/15/02 – Item 2.5 et al., and 10/29/02 – Item 2.8)

DROP

3 STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session

Mayor Gonzales, Chair

No report.

3.2 Report of the Rules Committee – October 23, 2002

Vice Mayor Shirakawa, Jr., Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
 - (1) Review November 5, 2002 Draft Agenda
The Committee recommended approval of the November 5, 2002 Council Agenda.
 - (2) Add New Items to October 29, 2002 Amended Agenda
The Committee recommended four additions to the October 29, 2002 Council Agenda.
- (c) City Council Committees
 - (1) Amendments to Council Committee Agendas
 - (a) Finance and Infrastructure Committee
 - (b) Economic Development and Environment Committee
 - (c) Education, Neighborhoods, Youth, and Seniors Committee**None filed.**
- (d) Meeting Schedules
None.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – October 23, 2002 (Cont'd.)

Vice Mayor Shirakawa, Jr., Chair

(e) The Public Record

The Committee directed the City Attorney to return next week with the following:

- a transcript of Item 8.1 from the October 8, 2002 Council meeting;
- a list of methods available for reconsideration; and
- a response to the issues raised in Mr. Robins' letter.

The Committee noted and filed the Public Record.

(f) Boards, Commissions and Committees

(1) Federated Retirement Board of Administration

The Committee recommended reappointment of Jeffrey Perkins as the Public Member on the Federated City Employees Retirement System Board of Administration for a term ending November 30, 2006.

Council noted the memorandum from the Board of Administration for Federated City Employees' Retirement System to the Rules Committee recommending reappointment of Jeffrey Perkins was revised to delete reference to a resolution.

SEE ITEM 3.5 FOR COUNCIL ACTION TAKEN

(g) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee

(1) Request to direct the City Manager to review and implement professional development training entitled, "Don't Laugh at Me" for PRNS staff

The Committee directed the City Manager to review and implement professional development training entitled, "Don't Laugh at Me" for PRNS Staff.

(h) Administrative Reviews and Approval

(1) Request from Council Member Nora Campos to use Council General funds to attend the League of California Cities Legislative Briefing in Sacramento, CA, November 6, 2002

The Committee approved use of Council General Funds by Council Member Campos to attend the League of California Cities Legislative Briefing in Sacramento, CA, November 6, 2002.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – October 23, 2002 (Cont'd.)

Vice Mayor Shirakawa, Jr., Chair

- (h) Administrative Reviews and Approval
 - (2) Appoint 2002 National League of Cities Voting Delegate and Alternate
The Committee recommended Council Member Pat Dando as the voting delegate and Council Member Ken Yeager as the alternate at the December 7, 2002 Annual Business Meeting for the National League of Cities.
- (i) Oral communications
None presented.
- (j) Adjournment
The meeting was adjourned at 2:15 p.m.

Rules Committee report and actions of October 23, 2002, accepted.

3.3 Report of the Finance and Infrastructure Committee – October 23, 2002

Council Member Dando, Chair

- (a) Consent Items
 - (1) September Monthly Report
 - (2) Findings Report on Bay 101 Conditional Approval of Stock Transfer Agreement for Quarter Ending December 2001
 - (3) Findings Report on Bay 101 Conditional Approval of Stock Transfer Agreement for Quarter Ending March 2002**The Committee accepted the Consent Items.**
- (b) Unfunded Projects Appropriation Report
The Committee accepted the Staff Report.
- (c) Monthly Financial Statement for August 2002
- (d) Capital Cost Report for August 2002
- (e) Cash Flow Projection
Items (c), (d) and (e) to report at the Redevelopment Agency meeting.
- (f) Oral petitions
Bill Garbett spoke on the ground-breaking ceremonies at City Hall and on the statements, reports from Bay 101 Car Club.
- (g) Adjournment
The Committee was adjourned at 3:00 p.m.

Finance and Infrastructure Committee report and actions of October 23, 2002 accepted.

3 STRATEGIC SUPPORT SERVICES

3.4 Approval of a resolution amending the Fiscal Policy E.1. in the Capital Improvement Program.

Recommendation: Adoption of a resolution amending the Fiscal Policy E.1. in the Capital Improvement Program to the following: “The amount set aside for contingencies shall correspond with public agency or industry standards, or a percentage of the total contract amount as otherwise determined by the City Council.” (Public Works)

Deferred to 11/12/02.

3.5 Appointment to the Federated Retirement Board of Administration.

Recommendation: Appointment of Jeff Perkins to the Federated Retirement Board of Administration for a four-year term ending November 30, 2006. (Federated Board of Administration)

Approved.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.1 Report of the Economic Development & Environment Committee Council Member Williams, Chair

No report.

4.2 Public Hearing on the Historical Property Contract for the Hotel Metropole.

Recommendation: PUBLIC HEARING on the Historical Property Contract for the Hotel Metropole, City Landmark No. HL88-46 and the Sunol Building, City Landmark No. HL02-129 located at the northwest corner of South Market and Post Streets (35 South Market St.) on 0.33 gross acre. (Florin II LTD, William B. Mitchell G.P., Owner). CEQA: Exempt. Director of Planning, Building and Code Enforcement and Historic Landmarks Commission recommend approval (5-0-1). (Planning, Building, and Code Enforcement)

MA 02-003 - District 3

(Continued from 10/8/02 – Item 4.3 et al, and 10/22/02 – Item 4.5)

Continued to 11/26/02.

4.3 Approval of the proposed update to the City Council Land Use Policy for Wireless Communications Facilities.

Recommendation: Adoption of a resolution approving the proposed update to the City Council Land Use Policy for Wireless Communications Facilities. (Planning, Building and Code Enforcement)

[Economic Development and Environment Committee referral 10/7/02 – Item 4.1(c)]

(Deferred from 10/22/02 – Item 4.2)

Continued to 11/19/02.

5 RECREATION & CULTURAL SERVICES

5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee – October 21, 2002

Council Member Chavez, Chair

- (a) Youth Commission Monthly Report
- (b) Annual Report on Library Usage
- (c) Annual Report on Library Benefit Assessment Expenditures

The Committee accepted the reports.

- (d) Update on Blight Ordinance
Item dropped.

- (e) Status Report on City-wide Trail Projects

The Committee accepted the report, with the following directive to Staff:

- **A report with recommendations/strategies on negotiating with UP regarding open space, trails, and/or housing is returned to the November 18 ENYS Committee in December, using the Water District strategies as a model.**
 - **What the group would like to accomplish, i.e., listing all the issues that are currently on the table, those issues we project might come forward in the next 5-10 years.**
 - **The process/strategies it would take to make it happen.**

- (f) Review of Park Ranger Staffing Levels

The Committee accepted the report, with the following directives to Staff:

- **When re-engineering management, include maintenance.**
- **Review overall staffing.**
- **Develop a strategy for shortening the advertising and review process in recruitment of Park Rangers.**
- **Park Ranger positions be unfrozen.**
- **Develop an expansion strategy for rangers, the parks we find challenging and what that means for public safety, programming and maintenance.**
- **Reevaluate all volunteer programs.**
- **Review opportunities for cadet programs with the appropriate departments.**

- (g) Update from the City/School Collaborative

The Committee accepted the report, with the following directives:

- **Chair Chavez will review Committee's calendar for the possibility of a special meeting with a refined agenda on school issues.**
- **Truancy and the establishment of a goal around shared revenues become part of the report on the City/School Collaborative.**
- **Review purpose of City/School Collaborative.**

5 RECREATION & CULTURAL SERVICES

5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee – October 21, 2002 (Cont'd.)

Council Member Chavez, Chair

- (h) Status Report on Pick-Up San José
Item deferred to the November 18, 2002 Education, Neighborhood and Youth Commission Committee.

- (i) Oral petitions
Bill Garbett spoke concerning libraries.

- (j) Adjournment
The meeting was adjourned at 4:05 p.m.

Education, Neighborhoods, Youth and Seniors Committee report and actions of October 21, 2002 accepted.

5.2 Approval of various actions related to the 2003-2004 HNVF Application Cycle.

Recommendation: Approval of various actions related to the 2003-2004 HNVF Application Cycle:

- (a) Adoption of the application process and rating criteria for the 2003-2004 HNVF Program application cycle as detailed in the memorandum.
- (b) Continuation of grant funding for the following projects as previously established by the City Council:
 - (1) Homework Centers (ongoing);
 - (2) San José Downtown College Preparatory (one more year for \$150,000);
 - (3) Children's Health Initiative (\$1,000,000 ongoing);
 - (4) Healthy Neighborhoods Venture Fund Administration (no greater than five percent of funds administered ongoing); and
 - (5) Funding for capacity-building workshops to assist agencies in becoming HNVF eligible service providers (\$100,000 ongoing).
- (c) Adoption of a goal of maintaining an unrestricted Ending Fund Balance amounting to at least 95% of estimated total expenditures.
- (d) Adoption of the following HNVF Advisory Committee membership terms:
 - (1) Committee Council Member term shall coincide with his or her Council term;
 - (2) Community member term shall be for three consecutive years; and
 - (3) Two existing community members of the Committee shall serve through June 30, 2003.

CEQA: Not a project. (Parks, Recreation and Neighborhood Services)

Approved – Staff directed to review procedures and add wording to ensure adequate flexibility exists to facilitate the funding of new groups or providers.

5 RECREATION & CULTURAL SERVICES

5.3 Approval to award a contract for the Tully Road Ball Field Development-Phase II Project.

Recommendation: Report on bids and award of contract for the Tully Road Ball Field Development-Phase II Project to the low bidder, Robert A. Bothman, Inc., in an amount of \$751,327, and approval of a contingency in an amount of \$75,000. CEQA: Mitigated Negative Declaration, PP02-04-080. Council District 7. (Public Works)

Approved.

6 TRANSPORTATION SERVICES

6.1 Approval of various actions related to the Construction Element of the Silicon Valley - Intelligent Transportation Systems (SV-ITS) Fremont-Milpitas Project.

Recommendation: Approval of an agreement for the Construction Element of the Silicon Valley - Intelligent Transportation Systems (SV-ITS) Fremont-Milpitas Project between the City of San José, the City of Milpitas, and Kimley-Horn and Associates, Inc. (Kimley-Horn) to provide the City of Milpitas with legal rights to use project plans and specifications for bid, award, and construction, and to clarify the roles and responsibilities of each party during construction, for a term beginning from the date of execution to September 30, 2004. CEQA: Exempt, PP 02-10-283. (Transportation)

Approved.

7 ENVIRONMENTAL & UTILITY SERVICES

7.1 Public Hearing on the Commercial Solid Waste and Recyclables Collection Franchise application of A & A Recycling.

Recommendation: PUBLIC HEARING on the Commercial Solid Waste and Recyclables Collection Franchise application of A & A Recycling, approval of ordinance granting the franchise, and approval of Commercial Solid Waste and Recyclables Collection Franchise agreement with A & A Recycling. (Environmental Services)

Ordinance No. 26769 passed for publication; the Commercial Solid Waste and Recyclables Collection Franchise agreement with A & A Recycling was approved, and Staff directed to provide information to Council on the checklist used to review prospective haulers and what the process entails.

8 AVIATION SERVICES

8.1 Approval of an amendment to the Scheduled Airline Operating Agreement regarding compliance with the City's Airport Noise Control Program.

Recommendation: Approval of a fifth amendment to the Scheduled Airline Operating Agreement between the City of San José and American Airlines, Inc., to add provisions regarding compliance with the City's Airport Noise Control Program, with annual revenue to the City in excess of \$4,000,000. CEQA: Resolution No. 67380, PP 02-09-276. (Airport)

(Deferred from 10/15/02 – Item 8.1 et al., and 10/29/02 – Item 8.1)

DROP

9 PUBLIC SAFETY SERVICES

9.1 Approval to accept a FEMA 2002 Assistance to Firefighters Grant Program Award.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute all documents necessary to accept a Federal Emergency Management Agency (FEMA) 2002 Assistance to Firefighters Grant Program Award in the amount of \$491,822, covering a term of one-year, to supplement \$210,780 in City matching funds for the purchase of selected fire fighting equipment. CEQA: Not a Project. (Fire)

Resolution No. 71288 adopted.

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

- Closed Session Report

None.

- Notice of City Engineer's Pending Decision on Final Maps

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9350	SE corner of Auzerais Ave & Meridian Ave	6	KB Homes, South Bay	1 lot	257 SFA	Approve

- Notice of City Engineer's Pending Decision on Final Maps (Cont'd.)

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

None.

- Open Forum—To be heard jointly with Redevelopment Agency Public Discussion.

None presented.

11 PUBLIC HEARINGS

(EVENING SESSION CANCELED)

11.1 Public Hearing on approval of a single family house permit.

Recommendation: PUBLIC HEARING ON APPROVAL OF A SINGLE FAMILY HOUSE PERMIT to construct a 1,602 first and second floor addition to an existing single-family residence resulting in a maximum height of greater than 30 feet (32.5) on a 0.17 gross acre site located at 619 Chapman Street in the R-1-8 Residential Zoning District. (James and Caroline Owens, Owner/Developer). CEQA: Exempt.

SF 02-031 - District 6

Continued to 11/19/02.

11.2 Public Hearing on planned development rezoning at Russo Drive and Cherryview Lane.

PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southeast corner of Russo Drive and Cherryview Lane, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow up to 126 senior housing units and 24 single family courthome units on 4.18 gross acres. (John E. Giacomazzi, Owner; Roem Development c/o Anthony Ho, Developer). CEQA: Mitigated Negative Declaration.

PDCSH 02-032 - District 9

(Continued from 10/15/02 – Item 11.4)

Continued to 11/19/02.

11.3 Public Hearing on planned development rezoning at Payne and Southwood Avenues.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southeast corner of Payne Avenue and Southwood Avenue, from R-1-5 Residence Zoning District to A(PD) Planned Development Zoning District, to allow up to 15 single family detached residential units on 1.5 gross acres. (Columbo Trust, Owner; Riding Group, Developer). CEQA: Mitigated Negative Declaration.

PDC 02-054 - District 1

Continued to 11/19/02.

11 PUBLIC HEARINGS

11.4 Public Hearing on planned development rezoning at Hillsdale, Meridian, Foxworthy, and Yucca Avenues.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on 1) block bounded by Hillsdale, Meridian, Foxworthy, and Yucca Avenues and 2) the area located on the west side of Meridian Avenue opposite Koch Lane (Hacienda Gardens Shopping Centers), from CP Commercial to A(PD) Planned Development Zoning District, to allow up to 179,000 square feet of retail commercial uses and up to 299 multi-family attached residential units on approximately 20.6 gross acres. (Garrett Bajkovich, Owner, Hacienda Gardens, LLC, Developer). CEQA: Mitigated Negative Declaration.

PDC 02-053 - District 9

Continued to 11/19/02.

11.5 Public Hearing on planned development rezoning at North White Road.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the east side of North White Road, approximately 670 feet southerly of McKee Road, from R-2 Multiple Residence Zoning District to A(PD) Planned Development Zoning District, to allow 12 single family attached residences on 0.62 gross acres. (T.S. Civil Engineering, Mike Miroyan, and Paul and Mary Santina, Owners; Mike Miroyan, Developer). CEQA: Mitigated Negative Declaration.

PDC 02-022 - District 5

Continued to 11/19/02.

11.6 Public Hearing on conforming rezoning at Umbarger Road and Aiello Drive.

Recommendation: PUBLIC HEARING ON CONFORMING REZONING of the property located at the south side of Umbarger Road, approximately 100 feet easterly of Aiello Drive, from IP Industrial Park Zoning District to LI Light Industrial Zoning District, to allow light industrial uses on 2.5 gross acres. (Augustine Machado, Owner/Developer). CEQA: Resolution No. 65459.

C 02-055 - District 7

Continued to 11/19/02.

11 PUBLIC HEARINGS

11.7 Public Hearing on conforming rezoning at South First Street and East Virginia Street.

Recommendation: PUBLIC HEARING ON CONFORMING REZONING of the property located at the east side of South First Street approximately 210 feet north of East Virginia Street, from A(PD) Planned Development Zoning District and LI Light Industrial Districts to CN Neighborhood Commercial District to allow commercial uses on 0.59 gross acres. (Vasanti and Viren Patel, Owner/Developer). CEQA: Resolution No. 65459.

C 02-070 - District 3

Continued to 11/19/02.

11.8 Public Hearing on conforming rezoning at Aiello Drive and Lewis Road.

Recommendation: PUBLIC HEARING ON CONFORMING REZONING of the property located at the west side of Aiello Drive, approximately 350 feet northerly of Lewis Road, from IP Industrial Park Zoning District to LI Light Industrial Zoning District, to allow industrial uses on 0.49 gross acre. (Robert & Sharon Bothman, Owner). CEQA: General Plan 2020 Resolution No. 65459.

C 02-074 - District 7

Continued to afternoon of 11/12/02.

- Open Forum

- Adjournment

The Council of the City of San José adjourned at 2:12 p.m.