



CITY COUNCIL AGENDA

JUNE 10, 2008

SYNOPSIS

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON P. NGUYEN
JUDY CHIRCO
NANCY PYLE

DAVID D CORTESE, VICE MAYOR

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

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

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

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

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

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

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

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

Agendas and Staff Reports for City Council items may be viewed on the Internet at www.sanjoseca.gov/clerk/agenda.asp. Council Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Council Wing, 2nd Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (TTY) at least two business days before the meeting.

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

- **Call to Order and Roll Call**
9:02 a.m. - Closed Session, Call to Order in Council Chambers
Absent Council Members: Constant. (Excused)

1:33 p.m. - Regular Session, Council Chambers, City Hall
Absent Council Members: Constant. (Excused)
- **Invocation (District 6)**
Father Marcelo Navarro, St. Leo the Great Church, presented an inspirational prayer.
- **Pledge of Allegiance**
Mayor Reed led the Pledge of Allegiance.
- **Orders of the Day**
The Orders of the Day and the Amended Agenda were approved, with Items 3.2 and 3.3 deferred to 6/17/08.
- **Closed Session Report**
City Attorney Doyle disclosed the following Closed Session actions of June 10, 2008:
 - A. **Authority to Pursue Appellate Review in a Litigation Case:**

Case Name: San José Parking v. RDA

Adverse Party: San José Parking.

CLOSED SESSION REPORT (Cont'd.)

Substance of Litigation: San José Parking sued the Redevelopment Agency for breach of contract.

Council Vote: Ayes: Campos, Chirco, Chu, Cortese, Liccardo, Nguyen, Oliverio, Pyle, Williams; Reed.

Noes: None.

Disqualified: None.

Absent: Constant. (Excused)

Vacant: None.

B. Authority to Initiate Litigation:

Authority to initiate litigation was given in one (1) matter. The name of the action and the defendants, as well as the substance of the litigation shall be disclosed to any person upon inquiry once the action is formally commenced.

Council Vote: Ayes: Campos, Chirco, Chu, Cortese, Liccardo, Nguyen, Oliverio, Pyle, Williams; Reed.

Noes: None.

Disqualified: None.

Absent: Constant. (Excused)

Vacant: None.

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation to the San José Environmental Business Cluster for receiving the National Business Incubation Association's 2008 Randall M. Whaley Incubator of the Year award. (Mayor/Redevelopment Agency)
Mayor Reed and Redevelopment Agency Executive Director Harry S. Mavrogenes recognized and commended the San José Environmental Business Cluster for receiving the National Business Incubation Association's 2008 Randall M. Whaley Incubator of the Year award.
- 1.2 Presentation of a proclamation to the Filipino American community in honor of the Philippine Independence Day Celebration & Fil-Am Friendship Month. (Mayor/Cortese/Chu/Liccardo)
Mayor Reed, Vice Mayor Cortese and Council Members Chu and Liccardo recognized the Filipino American community in honor of the Philippine Independence Day Celebration & Fil-Am Friendship Month. Mayor Reed and Vice Mayor Cortese invited everyone to the Flag Raising on Thursday, June 12, 2008, 11:00 a.m. City Hall Plaza.

1. CEREMONIAL ITEMS

- 1.3 Presentation of a commendation to Parks Maintenance District 6 for being the recipients of the Golden Shovel Award as well as Parks, Recreation and Neighborhood Services' Collaboration Award. (Williams)

Mayor Reed and Council Member Williams recognized and commended the Parks Maintenance District 6 for being the recipients of the Golden Shovel Award and the Parks, Recreation and Neighborhood Services' Collaboration Award.

2. CONSENT CALENDAR

- 2.1 **Approval of Minutes.**
There were none.

- 2.2 **Final adoption of ordinances.**
There were none.

- 2.3 **Second Amendment to the Agreement for Audit Services with Macias Gini & Company.**

Recommendation: Adoption of a resolution authorizing the City Auditor to negotiate and execute a Second Amendment to the Agreement with Macias Gini & Company LLP to provide annual financial audits of the use of Libraries and Parks bond funds (Measures O and P) for FY 2001-02 through FY 2007-08, the use of the Library Parcel Tax (Measure S) for FY 2005-06 through FY 2007-08, and a compliance audit of the City's investment program for a total one-time fee not to exceed \$149,600; and authorization to proceed with audits of these funds for FY 2008-09 for a fee not to exceed \$65,200 subject to annual appropriation of funds by the City Council for a potential total maximum compensation amount not to exceed \$2,905,340 for the term of the contract. (City Auditor)

Resolution No. 74409 adopted.

- 2.4 **Open Purchase Order #10 for FY 2007-2008.**

Recommendation: Approval of an award of open purchase orders for supplies, materials, equipment and services for FY 2007-2008 #10 and authorization for the Director of Finance to execute the purchase orders. CEQA: See Administration's memo to Council for specific CEQA clearance determinations on each recommended action. (Finance)

Approved.

2. CONSENT CALENDAR

2.5 Actions Related to the San José Family Shelter Project.

Recommendation: Adoption of a resolution approving the transfer of 35 affordable units or 143 beds from the site of the existing San José Family Shelter at 1590 Las Plumas Avenue to the site of the New San José Family Shelter Project located at 686 North King Road. CEQA: Resolution No. 74196, File No. PDC07-015. Council District 3. (Housing)
Resolution No. 74410 adopted.

2.6 Actions Related to Internet Crimes Against Children Grant Award.

Recommendation: Adoption of a resolution:

- (a) Accepting an Internet Crimes Against Children Grant award from the Governor's Office of Emergency Services (OES) in the amount of \$250,000;
- (b) Authorizing the City Manager to execute the Grant Award Agreement;
- (c) Delegating authority to the City Manager to accept and execute additional Internet Crimes Against Children Grant Awards from the Governor's Office of Emergency Services for the next five years, if awarded.

CEQA: Not a Project. (Police)

Resolution No. 74411 adopted.

2.7 Actions Related to the Roosevelt Community Center Package II Project.

Recommendation:

- (a) Approval of Contract Change Order No. 30 with West Coast Contractors, Inc. for the Roosevelt Community Center Package II Project in the amount of \$180,000 for the telecom, data, MATV (Master Antenna Television) and voice tie cabling, and installation of data patch panels.
- (b) Increase the project funding by \$163,000, and contingency authorization from 5% to slightly over 6% for a total project contingency of \$853,450.

Approved.

- (c) Adoption of the following Appropriation Ordinance amendments in the Subdivision Park Trust Fund 375:
 - (1) Increase the appropriation to the Parks, Recreation and Neighborhood Services Department in the amount of \$163,000 for the Roosevelt Community Center- Multi Service Project;
 - (2) Decrease the: Roosevelt Center Gymnasium Design Project by \$161,000;
 - (3) Decrease the Reserve: Future PDO/PIFO Projects by \$2,000.

CEQA: Mitigated Negative Declaration, File No. PP03-12-397. Council District 3. SNI: Five Wounds/Brookwood. (Public Works/City Manager's Office)

Ordinance No. 28329 adopted.

2. CONSENT CALENDAR

2.8 Contract Change Order for Construction of the Mayfair Community Center Project.

Recommendation: Approval of Contract Change Order No. 13 with Zolman Construction and Development, Inc. for the removal of approximately 880 lineal feet of asbestos containing underground pipes discovered during site excavation for the Mayfair Community Center Project, in the amount of \$190,000 for a total construction contract amount of \$14,026,218. CEQA: Mitigated Negative Declaration, File No. PP06-024. Council District 5. SNI: Mayfair. (Public Works)

Approved.

2.9 Request for excused absences for Councilmember Constant.

Recommendation: Request for excused absences for Councilmember Constant.

- (a) Request for an excused absence from the Closed Session and City Council Meeting of June 10, 2008 due to Authorized City Business: Federated City Employees' Retirement Services Education Training in Chicago, IL.
- (b) Request for an excused absence from the Rules and Open Government Committee Meeting of June 11, 2008 due to Authorized City Business: Federated City Employees' Retirement Services Education Training in Chicago, IL.

(Constant)

(Rules Committee referral 5/28/08)

Excused.

2.10 Contract with Fairbank, Maslin, Maullin & Associates for Consultant Survey Services.

Recommendation: Approval of a contract for consultant survey services with Fairbank, Maslin, Maullin & Associates, for a three-year term from time of execution, in an amount not-to-exceed \$300,680, subject to appropriation of funding. CEQA: Not a Project. (City Manager's Office)

(Deferred from 6/3/08 – Item 2.7)

Approved, with Staff directed to provide opportunity for Council to review survey questions and provide input.

2.11 Approval to Donate Five Surplus Brush Patrol Vehicles.

Recommendation: Adoption of a resolution authorizing the Director of Finance to donate five surplus Brush Patrol Vehicles (1988 Ford F350 Cab and Chassis with a Brush Patrol body) with a cumulative estimated value of \$25,000 as follows: one vehicle to the Spring Valley Fire District, a volunteer fire department; two vehicles to San José Search and Rescue, a non-profit organization; one vehicle to Central County Occupational Center, an educational organization; and one surplus Brush Patrol to the Eves Volunteer Fire Department. CEQA: Not a Project. (Finance)

(Deferred from 6/3/08 – Item 2.10)

Deferred to 6/17/08 per Rules and Open Government Committee.

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Debra Figone (Verbal Report)
No Report.

3.2 Report of the Rules and Open Government Committee – May 21, 2008
Mayor Reed, Chair
Deferred to June 17, 2008 per Orders of the Day.

3.3 Report of the Rules and Open Government Committee – May 28, 2008
Mayor Reed, Chair
Deferred to June 17, 2008 per Orders of the Day.

3.4 Report of the Public Safety, Finance and Strategic Support Committee
Councilmember Nguyen, Chair
No Report.

3.5 Follow-Up to Questions Regarding State Foreclosure Legislation.

Recommendation: As referred by the Rules and Open Government Committee:

(a) Accept staff's response to questions raised at the April 16, 2008 Rules and Open Government Committee and approve staff's recommendation to adopt a position of support for SB 1137 (Perata) and AB 2586 (Torrico), and adopt a position of support if amended for AB 2509 (Galgiani).

Accepted.

(b) Approve a general set of "guiding principles" for the support of legislation related to the foreclosure crisis.

(City Clerk)

[Rules Committee referral 5/21/08 – Item C(1)(c)]

Approved, as amended:

Encourage language in legislation that would require first lenders to notify the jurisdiction when foreclosing on properties for tracking and monitoring purposes.

3. STRATEGIC SUPPORT SERVICES

3.6 Rules and Open Government Committee Recommendations on the Sunshine Reform Task Force's Remaining Phase I Provisions.

Recommendation:

- (a) Adopt a resolution:
 - (1) Approving the Sunshine Reform Task Force Recommendations on Public Meetings as amended by the Rules and Open Government Committee and directing staff to proceed with implementation on a pilot basis.
 - (2) Approving staff recommendations on the definition of Agenda and Public Review File and directing staff to proceed with implementation on a pilot basis.
 - (3) Approving the Sunshine Reform Task Force Recommendations on Closed Session as amended by the Rules and Open Government Committee and directing staff to proceed with implementation on a pilot basis.

Resolution No. 74414 adopted, as amended:

- (a) **Staff directed to return in January 2009 with an update on all of the "sunshine" pilot programs, including the on-going cost benefit analysis pilot.**
- (b) **City Council and Redevelopment Agency Real Estate negotiations in Closed Session will be recorded only for the purpose of preparing and releasing a redacted transcript upon request if a Brown Act violation has been alleged. Redacted transcripts will be released within 30 days of the request.**

Noes: Oliverio.

- (b) Approve a minor amendment to the Calendar Disclosure requirements approved by the Council in August 2007.
Approved.
- (c) Discuss and decide whether to record Closed Session.
CEQA: Not a Project. (City Manager's Office)
See action in (a) above.

3. STRATEGIC SUPPORT SERVICES

3.7 Report on Bids for Combination Sewer Cleaning Trucks and Optional Equipment.

Recommendation: Report on bids and award the purchase of four combination sewer cleaning trucks and optional equipment to the low bidder, Coast Counties Truck & Equipment Co., for a total amount not-to-exceed \$1,118,589.24, including taxes and fees, and authorize the Director of Finance to:

- (a) Execute the purchase order for the initial purchase of quantity four combination sewer cleaning trucks and optional equipment;
- (b) Amend the initial purchase order to purchase additional quantities of combination sewer cleaning trucks and optional equipment, on an as-required basis, at the same unit pricing subject to appropriation of funding;
- (c) Execute purchase orders to acquire additional quantities of combination sewer cleaning trucks and optional equipment, on an as-required basis, for four additional years subject to annual manufacturer's price increases added to the initial bid price and appropriation of funding.

CEQA: Not a Project. (Finance)

Approved.

3.8 Agreement to Purchase Office Supplies.

Recommendation: Adoption of a resolution authorizing the Director of Finance to execute:

- (a) An agreement and purchase order for the cooperative purchase of office supplies with Corporate Express through the cooperative contract offered by the National Intergovernmental Purchasing Alliance starting July 1, 2008 until June 30, 2012 in an amount not-to-exceed \$1,200,000 for the initial year of the agreement.
- (b) Amendments to the initial purchase order to adjust the not-to-exceed compensation subject to annual appropriation of funding.
- (c) Execute subsequent annual Purchase Orders subject to annual appropriation of funding.

CEQA: Not a Project. (Finance)

(Deferred from 5/20/08 – Item 3.5 and 6/3/08 – Item 3.4)

Deferred to 6/17/08 per Administration.

4. COMMUNITY & ECONOMIC DEVELOPMENT

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

No Report.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 Actions Related to the Landmark Designation of the former Main Library Building.

Recommendation: Consideration of designation of the Former Main Library as a City Historical Landmark, located on the southside of West San Carlos Street between Market Street and Almaden Boulevard. CEQA: Not a Project. Director of Planning, Building and Code Enforcement recommends that the City Council decline to proceed with landmark designation of the former Main Library building as a City Landmark. The Historic Landmarks Commission voted (5-1-1, Cunningham opposed, Lavelle absent) to recommend that the City Council adopt a resolution to initiate proceedings to consider the former MLK Main Library building as a landmark of special historic, architectural, cultural, aesthetic or engineering interest or value of a historic nature; set a public hearing on August 26, 2008 at 1:30 p.m.; and refer the matter back to the Historic Landmarks Commission for its consideration at a public hearing, report and recommendation. Council District 3. (Planning, Building and Code Enforcement)

The Historic Landmark Process was initiated.

Resolution No. 74418 adopted.

The City Attorney and City Manager directed to return to the Rules and Open Government Committee with a proposal to revise the process to enable the Council to have the discretion to decline at the initial step.

4.3 Actions Related to the Special Tenant Improvement and Industrial Tool Installation Programs.

Recommendation: Acceptance of Report on making the Special Tenant Improvement Industrial Tool Installation programs permanent with certain modifications. CEQA: Not a Project. (Planning, Building and Code Enforcement/Economic Development)

Deferred to 6/17/08 per Administration.

4.4 Actions related to the design and installation of Public Artwork at Happy Hollow Park and Zoo.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Tom Otterness to design, fabricate and install public artwork for the Happy Hollow Park and Zoo in a total amount not-to-exceed \$932,500. CEQA: Exempt, File No. PP05-184. (Economic Development)
(Deferred from 6/3/08 – Item 2.8)

Deferred to 6/17/08 per Administration.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.5 Fiscal Actions Related to the Cinnabar Commons Apartments Project.

Recommendation: Adoption of a resolution:

- (a) Approving an increase to the City permanent loan to Cinnabar Commons, a California limited partnership, or an affiliated entity for up to \$506,652 to capitalize interest on the City's loan for the Cinnabar Commons Family Apartments project, located on Stockton Avenue between Cinnabar Street and Lenzen Avenue.
- (b) Approving up to 120% Loan-to-Value (LTV) as an exception to the City Council policy limiting LTV to 100%.

CEQA: EIR Resolution No. 71174. Council District 6. (Housing)
(Deferred from 5/20/08 – Item 2.9 and 6/3/08 – Item 4.3)

Resolution No. 74415 adopted.

City Manager requested to update Council in 6 months via an information memorandum.

4.6 Lease Agreement with the Tech Museum of Innovation for installing a Photovoltaic System on the roof of Parkside Hall.

Recommendation:

- (a) Adoption of a resolution authorizing the City Manager to negotiate and execute a lease agreement between the City of San Jose and the Tech Museum of Innovation for the use of Parkside Hall's roof and authorizing the City Manager to consent to the sublease of Parkside Hall's roof and the Tech Museum's roof to Solar Star or Solar Star's assignee for the purpose of constructing, installing, maintaining and operating a photovoltaic solar generation system.

Resolution No. 74416 adopted.

- (b) Adoption of a resolution making certain determinations regarding the related expenditure of Redevelopment Agency funds on certain public improvements in connection with the Tech Museum's installation of a photovoltaic solar generation system on the roof of Parkside Hall.

CEQA: Exempt, File No. PP08-039. Council District 3. (City Manager's Office)
(Deferred from 6/3/08 – Item 4.6)

Resolution No. 74417 adopted.

5. NEIGHBORHOOD SERVICES

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

No Report.

5. NEIGHBORHOOD SERVICES

5.2 Actions Related to the Strong Neighborhoods Initiative Washington Neighborhood Improvement Plan Amendment.

Recommendation: Review and Recommendation of the Strong Neighborhoods Initiative Washington Neighborhood Improvement Plan Amendment to the City Council. CEQA: Strong Neighborhoods Initiative Program EIR, Resolution No. 71045. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1). Council Districts 3 and 7. SNI: Washington. (Planning, Building and Code Enforcement)

Approved, with direction to add a reference to the Rocketship Charter School in the Plan.

5.3 Report on Bids and Action Related to Bascom Library and Community Center Project.

Recommendation: Report on bids and take appropriate action based on the evaluation of bids for the Bascom Library and Community Center Project. CEQA: Exempt, File No. PP07-081. Council District 6. SNI: Burbank/Del Monte. (Parks, Recreation and Neighborhood Services/Library/Public Works)

Deferred to 6/17/08 per Administration.

5.4 Amendment to an Agreement for Engineering Services for Various City Trail Projects.

Recommendation: Approval of the first amendment to the master agreement with CH2M HILL, Inc. for engineering services for various City trail projects increasing the total compensation by \$1,500,000, for a total agreement amount of \$3,500,000, in order to fund services for the Lower Guadalupe River Trail.

CEQA: Not a Project. (Public Works)

Approved.

6. TRANSPORTATION & AVIATION SERVICES

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

No Report.

6.2 Actions related to the Food & Beverage and Retail Request for Proposal at the Airport.

Recommendation:

- (a) Consideration of appeal by Pacific Gateway Concessions, regarding the Airport Food & Beverage and Retail Concessions Program Request for Proposals and adoption of a resolution setting forth the decision of the City Council.

The appeal was denied. Resolution No. 74412 adopted.

Disqualified: Chu.

6. TRANSPORTATION & AVIATION SERVICES

6.2 Actions related to the Food & Beverage and Retail Request for Proposal at the Airport (Cont'd.)

- (b) Adoption of a resolution authorizing the City Manager to:
- (1) Negotiate and execute Concession Agreements between the City of San José and the following entities, effective from the date of execution by the City Manager through June 30, 2020:
 - (a) Host International, Inc., for the construction and operation of retail concessions at the Airport listed as Package 1 of the Food & Beverage and Retail RFP, with a minimum annual concession fee guarantee to the City of \$1,620,000.
 - (b) AMS-SJC JV, for the construction and operation of retail concessions at the Airport listed as Package 2 of the Food & Beverage and Retail RFP, with a minimum annual concession fee guarantee to the City of \$2,000,000.
 - (c) Areas USA SJC, LLC, for the construction and operation of food and beverage concessions at the Airport listed as Package 3 of the Food & Beverage and Retail RFP, with a minimum annual concession fee guarantee to the City of \$1,726,200.
 - (d) Host International, Inc., for the construction and operation of food and beverage concessions at the Airport listed as Package 4 of the Food & Beverage and Retail RFP, with a minimum annual concession fee guarantee to the City of \$2,860,000.

Resolution No. 74413 adopted.

Disqualified: Chu.

- (2) Terminate negotiations with any of the recommended proposers for Packages 1 through 4 and negotiate Concession Agreements with lower-ranked proposers in order of their ranking for each package, in the event that the City Manager determines that the City and the recommended proposer cannot agree upon the terms of the Concession Agreement by August 1, 2008.
- (3) Negotiate and execute amendments to the Concessions Agreements for expansion or contraction of locations and modification or replacement of concepts and subtenants during the overall term of the Concession Agreements, so long as no changes are made in the provisions in the Concession Agreements regarding percentage rent or MAG to be paid to the City.

CEQA: Resolutions Nos. 67380 and 71451, File No. PP08-060. (Airport)
(Deferred from 6/3/08 – Item 6.2)

Approved.

Disqualified: Chu.

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

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

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

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
9477	Southeast corner of Fruitdale Avenue and Southwest Expressway	6	Southwest Expressway Investors LP	6 Lots / 502 Units	Multi-Family Attached and Retail

- Notice of City Engineer's Award of Construction Projects

In accordance with Council Resolution No. 73532, the construction Contract Process Streamlining Policy approved on December 5, 2006, the following is a list of projects that were awarded or rejected by the Director of Public Works in May 2008:

AWARD:

<u>Project Name</u>	<u>Council District</u>	<u>Contractor</u>	<u>Contract Award Amount</u>	<u>Award Date</u>
Dent Avenue Storm Drain Improvement	9	Wattis Construction Company, Inc.	\$199,802	5/14/08
Homewood Drive Sanitary Sewer Rehabilitation	6	Veolia ES Industrial Services, Inc., dba J.F. Pacific Liners, Inc.	\$266,375	5/14/08
St James Street and St John Street Sanitary Sewer Rehabilitation	3	Veolia ES Industrial Services, Inc., dba J.F. Pacific Liners, Inc.	\$426,520	5/15/08
Selma Olinder Dog Park	3	Suarez and Munoz Construction, Inc.	\$220,700	5/15/08

- **Open Forum**
 - (1) **Ted Scarlett complained that the June 3, 2008 Election was mishandled.**

- **Adjournment**

The Council of the City of San José was adjourned at 6:59 p.m. in memory of Vahid Hosseini, President of the Shia Association of the Bay Area (SABA), an individual of constant repose who worked tirelessly to promote awareness of Islam in the Bay Area as well as generously supporting various causes and individuals all over the Bay Area; and of Trac Vo, an activist in the Vietnamese community who work silently but tirelessly to help fellow Vietnamese residents achieve their professional and personal dreams in the Santa Clara Valley. (Cortese)