



CITY COUNCIL AGENDA

SEPTEMBER 30, 2008

AMENDED AGENDA

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
DAVID D CORTESE, VICE MAYOR
JUDY CHIRCO
NANCY PYLE

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

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

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

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

You may speak to the City Council about any item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council or Redevelopment Agency Board. 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**
9:30 a.m. - Closed Session, Call to Order in Council Chambers
Adjourn to Closed Session in Council Chambers Conference Room, W133
[See Separate Agenda](#)
1:30 p.m. - Regular Session, Council Chambers, City Hall
- **Invocation (District 8)**
* Mt. Pleasant High School Choir, Directed by Aaron Jenson
- **Pledge of Allegiance**
- **Orders of the Day**
- * Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

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

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

- **Closed Session Report**

1. CEREMONIAL ITEMS

- 1.1 Presentation of a proclamation declaring the month of October as “Disability Awareness Month” in the City of San José. (Mayor/Council)
*
- 1.2 Presentation of a proclamation declaring the month of October as “Crime Prevention Month” in the City of San José. (Mayor)
- 1.3 Presentation of a commendation to Susan Espinoza for her extraordinary service to people with disabilities in the City of San José. (Pyle)
* (Rules Committee referral 9/23/08)
- 1.4 Presentation of a proclamation declaring September 30th as “Bob Doerr Day” in the City of San José in honor of the former Mayor’s 95th birthday. (Mayor)
* (Rules Committee referral 9/23/08)

2. CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

Recommendation: Approval of minutes.

- (a) [Special Meeting Minutes of June 19, 2008](#)
- (b) [Regular Meeting Minutes of June 24, 2008](#)
- (d) [Regular Minutes of June 10, 2008](#)
* [Deferred from 9/23/08 – Item 2.1(a)]
- (e) [Special Meeting Minutes of June 16, 2008](#)
* [Deferred from 9/23/08 – Item 2.1(b)]
- (f) [Regular Minutes of June 17, 2008](#)
* [Deferred from 9/23/08 – Item 2.1(c)]

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances.

- (a) [ORD. NO. 28401](#) – Establishing Rule 20A Underground Utility District along Aborn Road, between Pumpherston Way and White Road.

2. CONSENT CALENDAR

2.3 [Actions Related to the Hillsdale Townhouses Project.](#)

[Attachment – Relocation Plan – Hillsdale Townhouses](#)

Recommendation: Adopt a resolution:

- (a) Approving an increase to the City's construction and permanent loan commitment to Mid-Peninsula Housing Coalition, or its designated affiliate, in an amount up to \$725,000, for a total loan commitment of \$5,000,000 for the rehabilitation and permanent financing of 48 rental townhome units, the Hillsdale Townhouses project, located at 1626-1656 Hillsdale Avenue.
- (b) Approving the Hillsdale Townhouses project's Relocation Plan dated September 2007, prepared by Overland, Pacific & Cutler, Inc.

CEQA: Exempt, File No. PP07-179. Council District 9. (Housing)

2.4 [Emergency Housing Consortium Lifebuilders Grant for the Housing Services Partnership.](#)

Recommendation: Adopt a resolution:

- (a) Approving a grant of \$979,372 to the Emergency Housing Consortium Lifebuilders for the implementation of the Housing Services Partnership, a homeless services and financial assistance program, from October 1, 2008 through June 30, 2009.
- (b) Authorizing the Director of Housing to negotiate and execute all necessary documents.

CEQA: Not a Project. (Housing)

2.5 [Grant Application for the Lower Guadalupe River Reach E Trail Project.](#)

Recommendation: Adopt a resolution:

- (a) Authorizing the City Manager to submit an application for local assistance funds of up to \$500,000 from the State of California, Resource Agency, Department of Parks and Recreation under the Recreational Trails Program to be used for the Lower Guadalupe River Reach E Trail Project.
- (b) Authorizing the City Manager to accept any grant funds and to negotiate and execute all documents related to the grant funding agreements.

CEQA: Mitigated Negative Declaration, File No. PP04-323. Council Districts 3, 4. (Parks, Recreation and Neighborhood Services)

2.6 [Excused absence for Councilmember Chu.](#)

- * **Recommendation:** Request for an excused absence for Councilmember Chu from the Regular Meeting of the Neighborhood Services and Education Committee on October 9, 2008 for the US Silicon Valley – China Sister Cities Association Economic Development Delegation to China. (Chu)

(Rules Committee referral 9/17/08)

2. CONSENT CALENDAR

2.7 Excused absences for Councilmember Constant.

Recommendation: Request for excused absences for Councilmember Constant.

- (a) [Request for an excused absence from the Evening Session](#) of the City Council Meeting on September 9, 2008 due to illness.
- (b) [Request for an excused absence from the Closed Session](#) of the City Council Meeting on September 30, 2008 due to a Medical Appointment.

(Constant)

(Rules Committee referral 9/17/08)

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Debra Figone (Verbal Report)

3.2 [Report of the Rules and Open Government Committee – September 17, 2008](#)

Mayor Reed, Chair

- (a) City Council (City Clerk)
 - (1) Review September 23, 2008 Final Agenda
 - (2) Review September 30, 2008 Draft Agenda
- (b) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (c) Legislative Update
 - (1) State
 - (a) Sacramento Update (verbal report). (City Manager's Office)
 - (b) AB 31 (De Leon) – Parks Program Under Proposition 84. (Parks, Recreation and Neighborhood Services)
 - (2) Federal
- (d) Meeting Schedule
 - (1) Approval to set a special Council meeting on October 14, 2008, 1-2:30 p.m. (City Clerk)
 - (2) Approval to set a study session on Historic Preservation for October 23, 2008 from 9:00 a.m. to 12:00 p.m. in Council Chambers. (Planning, Building and Code Enforcement)
 - (3) Approval to change the Study Session on the Three-Year General Fund Structural Deficit Elimination Plan to December 5, 2008, 9:00 a.m. – 4:00 p.m. (City Manager's Office)
- (e) The Public Record
- (f) Appointments to Boards, Commissions and Committee
- (g) Rules Committee Reviews, Recommendations and Approvals
 - (1) Adopt a resolution of support for Measure A on the November Ballot. (Mayor/Liccardo)
 - (2) Approval to support Measure A – Hospital Seismic Safety and Medical Facilities. (City Manager's Office)

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules and Open Government Committee – September 17, 2008

(Cont'd.)

- (g) Rules Committee Reviews, Recommendations and Approvals (Cont'd.)
 - (3) Approve recommended City positions for four 2008 League of California Cities Resolutions. (City Manager's Office)
 - (4) Recommendation that the City Council and Agency Board accept the disclosure of property interest by Joseph Horwedel, Director of Planning for the City of San José , and direct that the disclosure be entered into the public minutes of the Agency Board meeting. (Redevelopment Agency)
 - (5) Recommendation that the City Council and Agency Board accept the disclosure of property interest by Debra Figone, City Manager, and direct that the disclosure be entered into the public minutes of the Agency Board meeting. (Redevelopment Agency)
 - (6) Review of the Analysis of the 2006 Election Cycle. (City Clerk/Elections Commission)
 - (7) Update on Board/Commission Member Absence Policy. (City Clerk)
- (h) Review of additions to Council Committee Agendas
 - (1) Community and Economic Development Committee
 - (2) Neighborhood Services and Education Committee
 - (a) Approval to add item to the October 9, 2008 agenda entitled, "Report on Healthy Neighborhoods Venture Fund (HNVF) Migration to Results Based Accountability Model". (Parks, Recreation and Neighborhood Services)
 - (3) Transportation and Environment Committee
 - (a) Request to add an item to the October 6, 2008 agenda seeking approval of the elements of a Request for Proposals (RFP) for City-generated towing agreements. (Planning, Building and Code Enforcement)
 - (4) Public Safety, Finance and Strategic Support Committee
- (i) Open Government Initiatives
 - (1) Reed Reforms
 - (2) Sunshine Reform Task Force (SRTF)
 - (a) SRTF Phase II Report and Recommendations
 - (b) Staff's Response to Phase II Report and Recommendations of the SRTF.
 - (c) SRTF Chair's Response to the Staff Report responding to Phase II Report and Recommendations of the SRTF.
 - (d) Proposed language for Ethics and Conduct Section relating to lobbyists. (City Manager's Office)
 - (e) Letter from Bert Robinson regarding amendments and accountability.
 - (3) Significant Public Records Act Requests
 - (4) Council Policy Manual Update
- (j) Open Forum
- (k) Adjournment

3. STRATEGIC SUPPORT SERVICES

3.3 [Report of the Public Safety, Finance and Strategic Support Committee – September 18, 2008](#)

Councilmember Nguyen, Chair

- (a) Action on Items Recommended for Deferral (see table below)
 - (1) Procedures, Protocols and Policies Regarding the County Jail. (Oliverio)
 - (2) Report on Heart Safe City. (Fire)
 - (3) Report on 4th Quarter Reports on Performance Measurements for April-June 2008. (City Manager's Office)
 - (a) Strategic Support
 - (4) Report on Challenges and Choice Program. (Police/Parks, Recreation and Neighborhood Services)
- (b) Redevelopment Agency Monthly Financial Reports. (Redevelopment Agency)
 - (1) Financial Statements
 - (2) Capital Cost Report
 - (3) Cash Flow Projections
- (c) Report on Enterprise Applications-Executive Overview of Priority Projects. (Information Technology)
- (d) Report on 4th Quarter Revenue Collection Strategic Plan. (Finance)
- (e) Report on 4th Quarter Reports on Performance Measurements for April-June 2008. (City Manager's Office)
 - (1) Public Safety
- (f) Report on Proactive Code Enforcement in the Downtown. (Police/Fire/ Redevelopment Agency/Planning, Building and Code Enforcement)
- (g) An Audit of Commercial Solid Waste Franchise and AB 939 Fee Collection Program. (City Auditor)
- * **SEE ITEM 3.7 FOR COUNCIL ACTION TO BE TAKEN**
- (h) An Audit of Retirement Services' Travel Expenses. (City Auditor)
- * **SEE ITEM 3.8 FOR COUNCIL ACTION TO BE TAKEN**
- (i) Oral Petition
- (j) Adjournment

3.4 **Unused.**

3.5 [Ethics Update.](#)

Recommendation: Accept staff's presentation to the City Council on ethical issues related to campaign activities. (City Attorney's Office)

3. STRATEGIC SUPPORT SERVICES

3.6 Various Budget Appropriations for FY 2007-2008.

Recommendation:

- (a) Adopt an ordinance ratifying the final 2007-2008 appropriation increases detailed in this report.
- (b) Adopt the following 2007-2008 appropriation ordinance amendments in the Hayes Mansion Phase III Fund:
 - (1) Increase the Developer Payment – Tax Exempt/Tax Proceeds appropriation by \$134,675; and
 - (2) Decrease the Ending Fund Balance by \$134,675.
- (c) Adopt the following 2007-2008 appropriation ordinance amendments in the San Jose-Santa Clara Treatment Plant Operating Fund:
 - (1) Increase the Workers’ Compensation Claims appropriation by \$109,131; and
 - (2) Decrease the Ending Fund Balance by \$109,131.
- (d) Adopt the following 2007-2008 appropriation ordinance and funding sources resolution amendments in the Benefit Fund:
 - (1) Increase the FICA-Medicare appropriation by \$52,948; and
 - (2) Increase the Earned Revenue by \$52,948.

CEQA: Not a Project. (City Manager’s Office)

3.7 Audit of Commercial Solid Waste Franchise and AB 939 Fee Collection.

Recommendation: Accept an Audit of the Commercial Solid Waste Franchise and AB 939 Fee Collection Program and direct the Administration to include in applicable grant agreements with non-profit organizations (other than exempt nonprofit charitable reusers) a provision that requires payment of AB 939 fees. (City Auditor)

* [Public Safety, Finance and Strategic Support Committee 9/18/08 – Item (g)]

3.8 Audit of Retirement Services’ Travel Expenses.

[Attachment – Memo from Mayor Reed and Councilmember Constant](#)

Recommendation: Accept an Audit of Retirement Services’ Travel Expenses and direct the Administration to evaluate the Retirement Boards’ Composition and return to Council with options to consider. (City Auditor)

* [Public Safety, Finance and Strategic Support Committee 9/18/08 – Item (h)]

3.9 Ratification of Election Process for Retiree Representatives to the Federated and Police Retirement Boards.

Recommendation: As referred by the Rules and Open Government Committee on September 24, 2008, and as amended:

- (a) Ratify the process for the selection of nominees for Council appointment for the Boards of the Federated Retirement System and the Police and Fire Retirement System.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.9 Ratification of Election Process for Retiree Representatives to the Federated and Police Retirement Boards. (Cont'd.)

Recommendation:

- (b) Direct staff to develop a Council Policy for procedures to select Retirement Board representatives voted upon by employees and retirees to include research into due diligence and other options in the process.

(City Clerk)

* [Rules Committee referral 9/24/08 – Item G(5)]

3.10 Formation of a Convention Center Facilities District

Supplemental – Memo from the Director of Economic Development

* **Recommendation:** Adopt the following resolutions in connection with the formation of a Convention Center Facilities District:

- (a) A resolution of Intention to form a Convention Center Facilities District, to authorize the levy of special taxes pursuant to the City of San José Convention Center Facilities District financing procedure, to set a public hearing on Tuesday, November 18, 2008, at 1:30 p.m. regarding formation of the District and authorizing other related actions.
- (b) A resolution to Incur Bonded Indebtedness of the proposed Convention center Facilities District pursuant to the City of San José Convention Center Facilities District financing procedure in an amount not to exceed \$750,000,000.
- (c) A resolution of Official Intent to Reimburse Expenditure pursuant to United States Treasury Regulations Section 1.150-2 form tax-exempt bond proceeds.

Council District: City-wide. CEQA: Resolution No. 72767. (City Manager's Office)

* [Rules Committee referral 9/24/08 – Item A(1)(a)]

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Report of the Community & Economic Development Committee Councilmember Pyle, Chair – *No Report.*

4.2 Funding for the Development of McCreery Courtyards.

Recommendation: Adopt a resolution approving a funding commitment of up to \$7,900,000 of 20% Housing Funds to Pacific West Communities (“PWC” or “Developer”), or its legal affiliate, for a land acquisition/construction/permanent loan for the development of the 93-unit McCreery Courtyards, an affordable multifamily rental project located on McCreery Avenue South of Alum Rock Avenue, to be made available to extremely low-income and very low-income households. CEQA: Mitigated Negative Declaration, File No. PCD02-082. Council District 5. SNI: Mayfair. (Housing)

5. NEIGHBORHOOD SERVICES

5.1 **Report of the Neighborhood Services and Education Committee**
Councilmember Chirco, Chair – *No Report.*

5.2 **[Parkland Dedication and Park Impact Ordinances in-Lieu Fees Adjustments.](#)**

[Attachment – Letter from the Chair of the Parks and Recreation Commission](#)
[Supplemental - Memo from the Director of PRNS](#)

Recommendation: Conduct a public hearing and adopt a resolution setting forth the new Schedule of In-Lieu Fees charged pursuant to Chapters 14.25 (“Park Impact Ordinance”) and 19.38 (“Parkland Dedication Ordinance”) of the San José Municipal Code to reflect the 2007 Residential Land Value Study. CEQA: Resolution No. 65459. (Parks, Recreation and Neighborhood Services)

6. TRANSPORTATION & AVIATION SERVICES

6.1 **Report of the Transportation and Environment Committee**
Councilmember Williams, Chair – *No Report.*

6.2 **[Agreement for Airfield Design Services for the Norman Y. Mineta San José International Airport.](#)**

Recommendation: Adopt a resolution:

- (a) Approve the selection of Kimley-Horn and Associates, Inc., to provide airfield design and consultant services for all planned phases of the Terminal B Apron Reconstruction and Taxiway Whiskey Extension projects at Norman Y. Mineta San José International Airport.
- (b) Authorize the City Manager to negotiate and execute an agreement with Kimley-Horn and Associates, Inc., for airfield design and consultant services for Phase One of the Terminal B Apron Reconstruction and Taxiway Whiskey Extension projects, in an amount not to exceed \$4,500,000 and for the period October 6, 2008 through December 31, 2010.

CEQA: Resolution Nos. 63780 and 71452, File No. PP08-176. (Public Works/Airport)

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

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

9.1 [Interim Rental Affordability Agreement with Skyline at Tamien.](#)

Recommendation: Adopt resolutions by the City Council and Redevelopment Agency Board authorizing the Director of Housing to execute an Interim Affordability Restriction with Barry Swenson Builder to allow for a temporary rental of the for-sale affordable residential condominiums at Skyline at Tamien, located at Alma and Lick Avenues. CEQA: Resolution No. 26993, File No. PDC02-072. Council District 3. SNI: Washington. (City Manager’s Office/Redevelopment Agency)

- Notice of City Engineer’s Pending Decision on Final Maps
- Notice of City Engineer’s Award of Construction Projects
- Notice of Contracts Executed by Council Appointees

In accordance with Municipal Code Section 4.04.080, titled “Quarterly Reports”, the following is submitted as a report on contracts executed by Council Appointees or designee during the fourth quarter of Fiscal Year 2007-2008 (April 1, 2008 – June 30, 2008). The list includes contracts or amendments to contracts for services with a value greater than \$100,000 and up to \$250,000 and contracts or amendments to contracts for equipment, supplies, and material with a value greater than \$100,000 and up to \$1 million. Contract amounts are rounded to the nearest dollar. No Council action is being requested with respect to this report.

City Attorney’s Contract Activity

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Gibbs, Giden, Locher, Turner & Senet LLP	Public Works Legal Services - Updating Standard Specifications Project.	\$235,000
Hogan & Hartson LLP	Airport Legal Services – Environmental and Noise Control Issues; Fourth Amendment to add \$40,000 and extend term.	\$140,000
Orrick Herrington & Sutcliffe LLP	Sunshine Reform Task Force Legal Services. Continuation Agreement to add \$50,000 and extend term.	\$130,000
Salois & Associates	Court Reporting Services. Third Amendment to Continuation Agreement to add \$7,500 and extend term.	\$107,500
Talty Court Reporters, Inc.	Court Reporting Services. Third Amendment to Continuation Agreement to add \$10,000.	\$110,000

(Item continued on the next page)

- **Notice of Contracts Executed by Council Appointees (Cont'd.)**

City Auditor's Contract Activity

The City Auditor's Office has no contract activity to report.

City Clerk's Contract Activity

The City Clerk's Office has no contract activity to report.

City Manager's Contract Activity

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Beacon Economics	Demographic and economic analysis for the Envision San José 2040 General Plan for Planning, Building, and Code Enforcement.	\$219,950
County of Santa Clara	Agreement to ensure a connection to Criminal Justice Information System (CJIC).	\$145,000
Creative Learning and Performance Arts dba Clap Art	Classes in creative drama, visual arts, improvisation, music, dance and theatre for residents as offered by the Parks, Recreation, and Neighborhood Services Department.	\$180,000
Leslie Sokol Dance Kinds	Classes in dance, movement, fitness and drama for residents as offered by the Parks, Recreation, and Neighborhood Services Department.	\$150,000
Muniservices, Inc.	Tax revenue services for the Office of Economic Development.	\$250,000
NSF Int'l.Strategic Registrations, Ltd.	Assistance for the certification for an Environmental Management System developed for the Environmental Services Department.	\$150,000
Skyhawks Sports Academy	Sports programs including soccer, baseball, basketball, flag football, golf, tennis, lacrosse, volleyball, roller hockey and other sports programs to youth as offered by the Parks, Recreation, and Neighborhood Services Department.	\$250,000
The Public Strategies Group, Inc.	Strategic Services to for organizational change and renewal for the City Manager's Office.	\$120,000
VeriSign	Information Security Audit.	\$249,760
Wilfred Jarvis Institute	Organizational and leadership assessments, performance development training and one-on-one coaching for managers and supervisors for the Department of Transportation.	\$114,900

(Item continued on the next page)

- Notice of Contracts Executed by Council Appointees
(Cont'd.)

Director of Finance Contract Activity – Services

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
3I Infotech Inc	Client License and one year warranty for the Police Department.	\$167,000
Almaden Body & Paint	Vehicle/Heavy Equipment Collision And Chassis Repairs, Bodywork And Paint for the General Services Department. Amendment to add \$92,000.	\$177,000
Authentic Restoration	Repair of Expansion Joints and Cracks on Aeration Tanks for the Environmental Services Department.	\$150,000
BFI Int'l Disposal Corp.	Collection & Disposal of Grease and Grit for the Environmental Services Department.	\$150,000
Chrisp Company	Install Stripings and Markings for the Department of Transportation.	\$170,000
Fleet Bodyworkx, Inc.	Body and Paint Repairs for Vehicles for the General Services Department. Amendment to add \$120,000.	\$248,000
Hertz Corp.	Seasonal Rental of Construction Equipment for the General Services Department. Amendment to add \$110,000	\$230,000
Loomis, Fargo & Co	Armored Car Service for the Finance Department. Amendment to add \$11,000.	\$102,365
Monterey Mechanical Co	Plumbing Repairs for the General Services Department.	\$150,000
Nicholson, D W	Plumbing Repairs for the General Services Department.	\$150,000
Nunez Painting	Exterior And Interior Painting of various City Facilities for the General Services Department.	\$105,000
RFI Communications	Access Control Repair and Maintenance for the Aviation Department. Amendment to add \$73,585.	\$198,858
San Jose Transport	Debris Removal for the Department of Transportation. Amendment to add \$50,000.	\$210,000
Scheidt and Bachmann USA INC	Maintenance/repair of Parking Revenue Control System for the Department of Transportation. Amendment to add \$50,000.	\$200,000
Streetlight Restoration	Pole Painting for the Department of Transportation.	\$250,000
Wilson Concrete Co.	Concrete Sidewalk Removal and Replacement for the Department of Transportation. Amendment to add \$95,000.	\$245,000

(Item continued on the next page)

- **Notice of Contracts Executed by Council Appointees
(Cont'd.)**

Director of Finance Contract Activity – Equipment, Materials, and Supplies

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Albany Ford Inc	Ford Expeditions for the General Services Department.	\$155,977
Albany Ford Inc	Ford F350s for the General Services Department.	\$167,137
Albany Ford Inc	Specialized Animal Services Vehicle for the General Services Department.	\$180,239
Albany Ford Inc	Ford Escape Hybrids for the General Services Department.	\$181,036
Allstar Fire Equipment	Fire Equipment and Supply Hoses for the Fire Department. Amendment to add \$20,000.	\$170,000
Altec Industries Inc	Utility Truck with Manlift for the General Services Department.	\$324,454
B&A Friction Materials	Brakes and Suspension Parts for the General Services Department. Amendment to add \$85,501	\$237,601
Bascom Trim & Upholstery, Batteries USA	Vehicle/Equipment Repairs and Replacements for the General Services Department. Amendment to add \$55,830. Automotive Batteries for the General Services Department. Amendment to add \$82,235.	\$110,530 \$170,735
Becks Shoes, Inc	Citywide Open for Safety Shoes for various Departments.	\$119,750
Dapper Tire Company	Automotive Tires for the General Services Department. Amendment to add \$132,000.	\$245,000
LC Action	Emergency Accessories and Parts for Public Safety Vehicles for General Services Fleet.	\$165,305
Frontier Ford	Purchase of Ford Automotive Parts for the General Services Department. Amendment to add \$108,000.	\$203,000
Granite Construction Co	Road & Highway building Material, Asphalt and Concrete for the Department of Transportation	\$150,000
Granite Rock Co	Road & Highway Bldg. Material, Asphalt and Concrete for the Department of Transportation.	\$150,000
Hill Bros Chemical Co	Aqueous Ammonia for the Environmental Services Department.	\$150,000
Liberty Airport Systems Inc	Transformer Parts for replacement runway lights for the Aviation Department.	\$225,416
Maita Chevrolet Geo & Mac	Cargo Vans for the General Services Department.	\$131,614
Maita Chevrolet Geo & GMAC	Chevrolet Tahoes with Factory Police Package for the General Services Department.	\$146,630
Mc Cain Traffic Supply Inc	Traffic Signal "P" Cabinets for the Department of Transportation.	\$120,000
Mission Valley Ford	Automotive and Truck Repairs and Parts for the General Services Department. Amendment to add \$14,190.	\$101,440

(Item continued on the next page)

- **Notice of Contracts Executed by Council Appointees (Cont'd.)**

Director of Finance Contract Activity – Equipment, Materials, and Supplies (Cont'd.)

<u>Contractor</u>	<u>Description of Contract</u>	<u>Amount</u>
Municipal Maintenance Equip	Parking Control Scooters for the General Services Department.	\$319,406
Pervo Paint	Traffic Marking Paints and Solvents for the Department of Transportation. Amendment to add \$30,000.	\$125,000
R2 Engineering Inc.	High Volume Effluent Pump for the Environmental Services Department.	\$141,166
Reed & Graham	Asphalt Road Concrete for the Department of Transportation.	\$300,000
Resource & Design, Inc.	Library Furniture for the Library Department.	\$229,066
Ross Mcdonald Co, The	Library Furniture for the Library Department.	\$117,187
Toyota Sunnyvale	Toyota Priuses for the Department of General Services.	\$186,710
Toyota Sunnyvale	Toyota Priuses for the Department of General Services.	\$326,743
U.S. Peroxide LLC	Hydrogen Peroxide for Odor Control for Department of Environmental Services.	\$110,000
Western Contract Interiors	Modular Furniture for Trailer for the Environmental Services Department.	\$101,564

- **Open Forum**

Members of the Public are invited to speak on any item that does not appear on today's Agenda and that is within the subject matter jurisdiction of the City Council or Redevelopment Agency Board.

- **Adjournment**

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

**CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN
THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D.)**

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:
- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
 - b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
 - c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
 - d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
 - e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
 - f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
 - g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.