



**REGULAR MEETING OF THE SAN JOSE
TRANSPORTATION AND ENVIRONMENT COMMITTEE**

SAN JOSE, CALIFORNIA

MONDAY, NOVEMBER 07, 2011

The Transportation and Environment Committee of the City of San José convened in Regular Session at 1:31 p.m. in Conference Room 120, Council Wing, City Hall.

PRESENT: Council Member Sam Liccardo, Chair, Council Member Rose Herrera, Vice Chair, Council Member Xavier Campos and Council Member Donald Rocha.

ABSENT: All Present.

STAFF: Assistant to the City Manager Ashwini Kantak, Senior Deputy City Attorney Kevin Fisher, Policy Analyst for Mayor's Office Christina Fernandez and Deputy City Clerk Susan M. Davis.

REVIEW OF WORK PLAN

(1) Status Report on Mitigation Monitoring. (Planning, Building and Code Enforcement)

Action: Dropped. The status report will be heard at the Transportation and Environment Committee Meeting on December 5, 2011.

(2) Storm and Sanitary Sewer Initiatives. (Public Works/Transportation)

Action: Deferred to December 5, 2011.

(3) Status Report on Fleet Pilot Program. (Public Works)

Documents: Memorandum from Director of Public Works David Sykes, dated October 28, 2011, recommending deferral of the report on the fleet pilot program to the December 2011 Committee meeting.

Action: Deferred to December 5, 2011.

CONSENT CALENDAR

(1) **Electric Vehicle Infrastructure Update Report. (Transportation/Public Works)**

Documents: Memorandum from Director of Transportation Hans Larsen and Director of Public Works David Sykes, dated October 19, 2011, recommending acceptance of the report.

Director of Transportation Hans Larsen responded to questions from Council Members Liccardo, Rocha and Herrera.

Public Comments: Eugene Sherrill suggested that the City provide access locations to charge other motorized electric vehicles such as wheelchairs, scooters, power chairs and electric bicycles.

Action: The Committee accepted the report.

REPORTS TO COMMITTEE

(1) **City Tow Contracts. (Police)**

Documents: Memorandum from Chief of Police Christopher Moore, dated October 26, 2011, recommending acceptance of the report.

Deputy Chief of Police David Cavallaro presented the report.

Public Comments: Kenny Carvalho, City Towing, proposed that the towing companies add the \$82.25 paid to the City to the vehicle charges the owner pays upon release of the vehicle.

Rita Espino, Sacred Heart, expressed support to the new policy to not take vehicles from people who are driving without a license.

Nick Alongi, Motor Body/Alongi Brothers Towing, stated that there has been a decreasing trend of cars that are towed and being released earlier.

Jim Alves, Delta/Alongi Brothers Towing, stated that the abrupt change in the enforcement policies has caused a significant reduction in both tow volume and revenues previously experienced by tow contractors.

Bob Coen, Matos and Courtesy Tow, stated in his experience during the past 50 years in the towing business he has never seen a system fail like it has been failing during the past eleven months.

Patty Diaz, Executive Director, Services, Immigrant Rights and Education, stated that the impound policy in San José protects the safety of all its residents by strengthening the relationship between the low income communities and law enforcement.

REPORTS TO COMMITTEE

(1) City Tow Contracts (Cont'd.)

Public Comments (Cont'd.)

Lucila Ortiz commented that the new policy has created a positive impact on the community and the trust for law enforcement.

Aaron Resendez expressed support to the new policy implementation on towing.

David Wall expressed opposition to the new policy and stated that vehicles should be taken away from individuals who are driving without a license.

Deputy Chief of Police David Cavallaro responded to questions and concerns from the Committee Members. Extensive discussion ensued.

Action: The Committee accepted the report. Staff was directed to return to the Transportation and Environment Committee in January 2012 with a status report on the City Tow Contracts, including incorporating the issues from the Committee Members, the stakeholders and the community as potential solutions.

(2) Carryout Bag Ordinance Implementation. (Environmental Services)

Documents: Memorandum from Acting Director of Environmental Services Kerri Romanow, dated October 19, 2011, recommending acceptance of the report and forwarding the item to the full City Council for formal action.

Acting Director of Environmental Services Kerri Romanow presented the report.

Public Comments: Providing suggestions and comments to the carryout bag ordinance implementation were Eugene Sherrill, David Wall and Allison Chan, Save the Bay.

Action: The Committee accepted the report. The Committee forwarded the item to the full City Council for formal action.

(3) Review of Relevant 2012 Legislative Guiding Principles. (City Manager's Office/ Intergovernmental Relations)

Documents: Memorandum from Director of Intergovernmental Relations Betsy Shotwell, dated October 19, 2011, recommending acceptance of the report.

Director of Intergovernmental Relations Betsy Shotwell presented the report.

Public Comments: David Wall commented on promoting investment for infrastructure maintenance and rehabilitation.

Action: The Committee accepted the report.

REPORTS TO COMMITTEE

(4) Street Tree Ordinance Amendments. (Transportation)

Documents: Memorandum from Director of Transportation Hans Larsen, dated October 19, 2011, recommending acceptance of the report.

Assistant Director of the Department of Transportation James H. Ortbal presented the report. Assistant Director Ortbal, City Arborist Ralph Mize and Division Manager Diane Milowicki responded to questions and comments from the Committee Members.

Public Comments: David Wall spoke in opposition to the Staff recommendations.

Council Member Herrera requested Staff to consider creating an environment for tree trimming services where the City provides answers and assistance to the residents with reasonable rates.

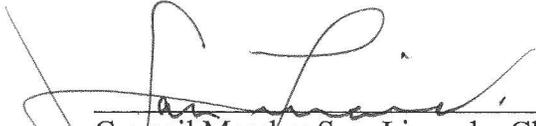
Action: The Committee accepted the report. Staff was directed to explore the possibility of a Request for Proposal (RFP) for third party bulk purchases for tree trimming services. The Committee forwarded the item to the full City Council for formal action on November 29, 2011.

OPEN FORUM

- (1) Eugene Sherrill related the serious lack of services available for the homeless and disabled and added he was denied access to homeless shelters. Council Member Liccardo provided assistance to Mr. Sherrill after the Transportation and Environment Committee Meeting.
- (2) David Wall presented comments on a series of topics including, discussion about modifications to the curfew at the airport, issues related to the integrated waste fund and focusing on ending poverty through growing food locally.

ADJOURNMENT

Council Member Liccardo adjourned the meeting at 3:53 p.m.



Council Member Sam Liccardo, Chair
Transportation and Environment Committee

sl/smd