



CITY COUNCIL AGENDA

FEBRUARY 20, 2001

SYNOPSIS

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
VACANT

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.

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, Room 600, City Hall
Canceled.

1:35 p.m. - Regular Session, Council Chambers, City Hall
Absent: Council Members – None.
Vacant: District 5.

7:05 p.m. - Public Hearings, Council Chambers, City Hall
Absent: Council Members – None.
Vacant: District 5.

- **Invocation (District 2)**
Pastor Dave Sawkins, South Valley Christian Church, delivered the invocation.

- **Pledge of Allegiance**
Mayor Gonzales led in the Pledge of Allegiance.

- **Orders of the Day**
Orders of the Day and Amended Agenda approved with additional deferral:
Item 2.25 deferred to 02/27/01.

1 CEREMONIAL ITEMS

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 City Council Minutes.

Recommendation: Approval of minutes for:

- (a) 2000 Annual Review of the General Plan – November 13, 2000

Approved.

- (b) Regular Meeting of November 14, 2000

Approved.

- (c) Joint Council/Redevelopment Agency Board Meeting of November 14, 2000

Approved.

2.2 Final adoption of Ordinance 26292.

Recommendation: ORD. NO. 26292 – Amends Title 9 of the San José Municipal Code to add a new chapter 9.60 regarding the prevention of abandoned carts.

Ordinance No. 26292 adopted.

2.3 Final adoption of Ordinance 26294.

Recommendation: ORD. NO. 26294 – Rezones certain real property situated on the east side of North Second Street, approximately 400 feet northerly of East Julian Street. PDC 00-07-061

Ordinance No. 26294 adopted.

2.4 Final adoption of Ordinance 26295.

Recommendation: ORD. NO. 26295 – Rezones certain real property situated on the southeast corner of Montague Expressway and Kruse Drive (696 East Trimble Road). C 00-11-117

Ordinance No. 26295 adopted.

2.5 Final adoption of Ordinance 26296.

Recommendation: ORD. NO. 26296 – Rezones certain real property situated on the southeast corner of Meridian and Auzerais Avenues.

PDC 00-06-054

Ordinance No. 26296 adopted.

2 CONSENT CALENDAR

2.6 Approval to extend the agreement with ABX Air, Inc.

Recommendation: Approval of a first amendment to the Commercial Cargo Operating Agreement with ABX Air, Inc., to extend the term of the agreement through March 31, 2006, with estimated annual revenue to the City of \$173,463.60. CEQA: Resolution No. 67380. (Airport)

Approved.

2.7 Approval to extend two agreements with DHL Airways, Inc.

Recommendation: Approval of:

- (a) A first amendment to the Commercial Cargo Operating Agreement with DHL Airways, Inc., to extend the term of the agreement through March 31, 2006, with estimated annual revenue to the City of \$180,000; and
- (b) A second amendment to the lease agreement with DHL Airways, Inc. for office and hangar space at 1277 Airport Boulevard, to extend the term of the lease through March 31, 2006, with annual rental revenue to the City in the amount of \$6,000.

CEQA: Resolution No. 67380. (Airport)

Approved.

2.8 Approval to extend the agreement with Emery Worldwide Airlines, Inc.

Recommendation: Approval of a second amendment to the agreement with Emery Worldwide Airlines, Inc. to extend the hanger office space lease through April 30, 2006, with projected annual revenue to the City of \$2,400. CEQA: Resolution No. 67380. (Airport)

Deferred to 03/06/01.

2.9 Approval to extend the agreement with Ogden Ground Services.

Recommendation: Approval of a second amendment to the lease agreement with Ogden Ground Services for office and hangar space at 1277 Airport Boulevard, to extend the term of the lease through April 30, 2007, with annual rental revenue to the City in the amount of \$14,000. CEQA: Resolution No. 67380. (Airport)

Dropped.

2.10 Approval of an agreement and license with TEM Enterprises, Inc.

Recommendation: Approval of an Operating Agreement and License with TEM Enterprises, Inc., d/b/a Casino Express, d/b/a Air Laughlin for a three year term from February 20, 2001 to February 19, 2004, with a projected annual revenue to the City of \$220,000. CEQA: Resolution No. 67380. (Airport)

Approved.

2 CONSENT CALENDAR

2.11 Approval to negotiate and execute an agreement with Ernst & Young LLP.

Recommendation: Adoption of a resolution authorizing the City Attorney to negotiate and execute an agreement for litigation consulting services with Ernst & Young LLP for the period of January 15, 2001 through June 30, 2002, in an amount not to exceed \$60,000.

(City Attorney's Office)

Resolution No. 70164 adopted.

2.12 Approval of a consultant agreement to develop a design for an artwork proposal.

Recommendation: Approval of a second amendment to the agreement with artist Alison Sky to develop an artwork proposal for improvements to Post Street, and work with the City's Downtown Strategic Plan consultant to develop guiding principles for the inclusion of public art in the Greater Downtown Strategic Plan, using the \$49,500 balance of the Fox California Theater public art design budget.

(Conventions, Arts and Entertainment)

Approved.

2.13 Approval of agreements for the Fire Department's plan check services.

Recommendation: Approval of agreements with Gage-Babcock and Associates, Jess Ramirez, Rolf Jensen and Associates, Hughes Associates, and Associated Risk Consultants in an amount not to exceed \$200,000, for plan check services for the period February 1, 2001, to January 31, 2002. (Fire)

Deferred to 02/27/01.

2.14 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 2000-2001 #29, and authorization for the Director of General Services to execute the purchase orders. (General Services)

Approved.

2.15 Approval to purchase lawn mowers for the Park Maintenance Division.

Recommendation: Report on bids and award the purchase of five (5) 16-foot lawn mowers to the low bidder, H. V. Carter, at a total cost of \$353,727.00 including tax, and authorization for the Director of General Services to execute the purchase order for the:

- (a) Immediate purchase of five (5) units; and
- (b) Subsequent purchase of additional units at the same bid price, for one (1) year, without further Council action other than the appropriation of necessary funds.

(General Services)

Approved.

2 CONSENT CALENDAR

2.16 Approval to initiate proceedings for the reorganization of Cambrian No. 31.

Recommendation: Adoption of a resolution initiating proceeding and setting March 6, 2001 at 1:30 p.m. as the date for Council consideration of the reorganization of territory designated as Cambrian No. 31, which involves the annexation to the City of San José of 2.02 gross acres of land, located on the north side of Curtner Avenue, 90 feet southerly of Salerno Drive, and detachment of the same from the Central Fire Protection District, Santa Clara County Library Services Area, and the County Lighting Services District. CEQA: Negative Declaration. (Planning, Building and Code Enforcement)

Resolution No. 70165 adopted.

2.17 Approval of an agreement with the City of Santa Clara for the discharge of sanitary sewage.

Recommendation: Approval of the first amendment to the use agreement with the City of Santa Clara for the use of certain City of Santa Clara sanitary sewer facilities by the City of San José for the discharge of sanitary sewage from additional properties on the west side of the Southern Pacific Railroad tracks north of Highway 237, increasing the annual operation and maintenance fee paid by the City of San José by \$3,300, from \$1,500 to \$4,800. CEQA: Resolution No.69392. (Public Works)

Approved. Disqualified: Reed, because it is reasonably foreseeable that the decision will have a material financial affect on a source of income received during the past year.

2.18 Approval of contract award for the San José Family Camp Restrooms, Phase 2 Project.

Recommendation: Report on bids and award of contract for the San José Family Camp Restrooms, Phase 2 Project to the low bidder, Gatewood HVAC, Inc., in the amount of \$322,000, and approval of a contingency in the amount of \$38,000. CEQA: Exempt. (Public Works)

Approved.

2.19 Approval to reject the bid for the Street Lights Monterey Pedestrian Project.

Recommendation: Approval to reject the sole bid for the Street Lights Monterey Pedestrian Project and authorization for the Director of Public Works to re-advertise and re-bid the proposed project. CEQA: Exempt. (Public Works)

Approved.

2 CONSENT CALENDAR

2.20 Approval of an agreement for the Caltrain Maintenance Facility Project.

Recommendation: Approval of a continuation agreement with CH2M HILL for the development of the Caltrain Maintenance Facility Project, increasing the compensation by \$50,000, for a total amount not to exceed \$100,000, and extending the agreement term to December 31, 2001. (Public Works)

Dropped.

2.21 Approval of a temporary construction easement for the extension of Hellyer Avenue.

Recommendation: Adoption of a resolution approving a temporary construction easement located at 505 Piercy Road in San José, APN # 678-13-003, with Edmund and Irene Mercado, for the extension of Hellyer Avenue, in the amount of \$500 plus related closing costs; and authorizing the Director of Public Works to execute the related necessary documents to complete the transaction. CEQA: Resolution No. 69699. (Public Works)

Dropped.

2.22 Approval to purchase a slope easement for the extension of Hellyer Avenue.

Recommendation: Adoption of a resolution approving a purchase and sale agreement with Robert Brian and Lisa Marie Snodgrass for the purchase of a slope easement located at 6527 Alyssa Court in San José, APN # 678-24-073, for the extension of Hellyer Avenue, in the amount of \$4,750 plus related closing costs; and authorizing the Director of Public Works to execute the related necessary documents to complete the transaction. CEQA: Resolution No. 69699. (Public Works)

Resolution No. 70166 adopted.

2.23 Approval to accept a grant for the Mayor's Excellence in Education program.

Recommendation: Adoption of appropriation ordinance and funding sources resolution amendments in the General Fund for a Mayor's Excellence in Education Award Program in the amount of \$50,000, and adoption of a resolution authorizing the City Manager to accept a grant from Intel Corporation. (City Manager's Office)
(Deferred from 2/13/01 – Item 2.10)

Ordinance No. 26298 adopted.

Resolution Nos. 70167-70168 adopted.

2 CONSENT CALENDAR

2.24 Additions and amendments to City Council Committee/liaison appointments.

Recommendation: Approval of addition and amendments to City Council Committee/liaison appointments. (Mayor)
(Rules Committee referral 2/14/01)

Council approved the following additions and amendments to Valley Transportation Agency Policy Boards: Central Highways – Council Member LeZotte; South Bay Transit Corridor – Council Member Reed; South Highways – Council Members Williams and Cortesé; North Highways – Council Member Reed; Appointment of Council Member Reed to the Solid Waste Commission of Santa Clara County; and deletion of the Private Sector Investment Panel appointment.

2.25 Approval of conditions on the City's sale of parking garages.

Recommendation: Adoption of a resolution approving certain conditions on the disposition of parking facilities required by AMBAC Assurance Corporation, the proposed bond insurer for the parking revenue bonds, for the 4th and San Fernando Street Garage. (City Attorney's Office)
(Rules Committee referral 2/14/01)

Deferred to 02/27/01.

3 STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session, Mayor Gonzales, Chair No Report.

3.2 Report of the Rules Committee – February 7, 2001 Vice Mayor Shirakawa, Jr., Chair

(a) Redevelopment Agency
With addition of three items to the February 13, 2001 Redevelopment Agency Agenda, all items to reported out at Redevelopment Agency Board meeting.

(b) City Council
(1) Review February 20, 2001 Draft Agenda
The Committee approved the February 20, 2001 Draft City Council Agenda.
(2) Add New Items to February 13, 2001 Amended Agenda
The Committee recommended one addition to the February 13, 2001 City Council Agenda.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – February 7, 2001 (Cont'd)

Vice Mayor Shirakawa, Jr., Chair

- (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
 - (d) Ad Hoc Traffic Calming Advisory Committee

None Presented.
- (d) Meeting Schedules
None Presented.
- (e) The Public Record
The Committee noted and filed the Public Record filed for the period January 24-30, 2001.
- (f) Request to use Council General Funds to attend the National League of Cities Congressional City Conference 2001 in Washington, D.C., March 9 through March 13, 2001 by Council Members Dando, LeZotte, and Yeager
The Committee recommended approval of the three travel requests and the use of Council General Funds to attend the Conference.
- (g) Appointments to Project Diversity Screening Committee
The Committee nominated Alan Fong to the Project Diversity Screening Committee and continued the remaining three nominations to the Rules Committee meeting of February 14, 2001.
- (h) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee
None Presented.
- (i) Oral communications
None Presented.
- (j) Adjournment
The meeting was adjourned at 2:10 p.m.

The Rules Committee Report and actions of February 7, 2001 accepted.

3.3 Report of the Finance and Infrastructure Committee

Council Member Dando, Chair

No Report.

3 STRATEGIC SUPPORT SERVICES

3.4 Approval to amend the City's Pay Plan to create classifications for the provision of animal services.

Recommendation:

Adoption of a resolution amending the City's Pay Plan to create the following classifications and salary ranges:

- (a) Supervisor, Animal Services Operations (3250) with a salary range of \$24.74-\$32.85 per hour (\$51,459.20-\$68,328 annually).
- (b) Animal Services Officer, Senior (3251) with a salary range of \$18.51-\$22.51 per hour (\$38,400.80-\$46,820.80 annually).
- (c) Animal Services Officer (3252) with a salary range of \$15.39-\$18.71 per hour (\$32,011.20-\$38,916.80 annually).
- (d) Animal Health Technician (3253) with a salary range of \$15.39-\$18.71 per hour (\$32,011.20-\$38,916.80 annually).
- (e) Kennel Attendant (3254) with a salary range of \$14.09-\$17.13 per hour (\$29,307.20-\$35,630.40 annually).

(Human Resources)

Deferred to 02/27/01.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.1 Report of the Economic Development & Environment Committee – February 5, 2001

Council Member Williams, Chair

- (a) First & Second Quarter Report on the Housing and Homeless Fund
The Committee accepted the report.
- (b) Quarterly Report on Activity in the Affordable Housing Project Development Program
The Committee accepted the report.
- (c) Quarterly Report on Housing Rehabilitation Program
The Committee accepted the report.
- (d) Presentation on zoning and permitting activity for housing
The Committee accepted the report.
- (e) Oral Petitions
None Presented.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.1 Report of the Economic Development & Environment Committee – February 5, 2001 – (Cont’d.)

Council Member Williams, Chair

(f) Adjournment

The meeting was adjourned at 2:20 p.m.

The Economic Development & Environment Committee Report and actions of February 5, 2001 accepted.

4.2 Approval to establish guidelines and perform protocol functions for International Economic Partnerships.

Recommendation:

- (a) Approval to establish guidelines for International Economic Partnerships; and
- (b) Designate the Office of Economic Development to perform protocol functions for the City.

(Economic Development)

Approved.

4.3 Public Hearing to issue bonds for the Lenzen Affordable Housing Development.

Recommendation: Adoption of a resolution holding a TEFRA Hearing for the issuance of up to \$10,000,000 in tax-exempt multifamily housing revenue bonds for the Lenzen Affordable Housing Development. (Housing/Finance)

TEFRA Hearing Held.

No Public Testimony Presented.

Resolution No. 70169 adopted.

4.4 Approval of grants for the Housing Rehabilitation Program and to establish a separate program to implement HUD lead-based paint abatement regulations.

Recommendation: Adoption of a resolution:

- (a) Authorizing the Director of Housing to make grants rather than interest-free conditional loans to income-qualified homeowners for home repairs and rehabilitation work, under the Housing Rehabilitation Program.
- (b) Authorizing a separate grant program for costs associated with implementing U.S. Department of Housing and Urban Development regulations on lead-based paint abatement, under the Housing Rehabilitation Program.

(Housing)

Deferred to 03/06/01.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.5 Ordinance to allow one additional hearing on General Plan amendments related to housing issues prior to the Annual Review Process.

Recommendation: Approval of an ordinance setting forth the limited and extraordinary circumstances warranting consideration of amendments to the 2020 General Plan related to housing issues through one additional General Plan review and amendment hearing in the 2001 calendar year prior to the Annual Review Process. (Mayor)
(Rules Committee referral 2/14/01)

Ordinance No. 26299 passed for publication.

5 RECREATION & CULTURAL SERVICES

5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee Council Member Chavez, Chair No Report.

Items 5.2 and 5.3 considered together.

5.2 Acceptance of the Public Art Master Plan.

Recommendation: Acceptance of the Public Art Master Plan and direction to the City Attorney's Office to draft an ordinance to implement changes in the Public Art Master Plan. (Conventions, Arts and Entertainment) CEQA: Exempt.

5.3 Acceptance of the Public Art Program Workplan.

Recommendation: Acceptance of the 2001 Public Art Program Workplan.
(Conventions, Arts and Entertainment)

Council (a) accepted the reports on the Public Art Master Plan and the 2001 Workplan; (b) directed the City Attorney to draft the ordinance implementing changes in the Public Art Master Plan; (c) directed the Administration to include in the Master Plan more of San José's historical landmarks and originating industries reflective of the early years of the community; and (d) directed the Administration to consider public art partnerships with schools and to allocate funds for the programs.

5.4 Approval of an agreement with the County of Santa Clara to provide a nutrition program for senior citizens.

Recommendation: Approval of an agreement with the County of Santa Clara to provide a nutrition program for senior citizens, for the period July 1, 2000 to June 30, 2001, with the City to receive the amount of \$763,904. (Parks, Recreation and Neighborhood Services)

Approved.

6 TRANSPORTATION SERVICES

6.1 Traffic Calming Advisory Committee (Ad Hoc) – February 8, 2001 Council Member Reed, Chair

- (a) Approval of Six-Month Workplan
The Committee deferred discussion on the Work Plan to the February 22, 2001 meeting.
- (b) Report on the Traffic Calming Program Overview
The Committee accepted the report.
- (c) Status of Traffic Calming Workplan Activities
The Committee accepted the status report.
- (d) Oral Petitions
Jill Escher, President of Walk San José, spoke on the petition process and the Traffic Calming Council Policy.
- (e) Adjournment
The Committee adjourned at 3:40 p.m.

The Traffic Calming Advisory Committee Report and actions accepted.

6.2 Approval of various actions related to the proposed formation of a Community Facilities District.

Recommendation: Adoption of the following resolutions in connection with the formation of Community Facilities District No. 6 (Great Oaks - Route 85):

- (a) A resolution of intention to form Community Facilities District No. 6 (Great Oaks - Route 85), to authorize the levy of special taxes pursuant to the City of San José Community Facilities District Financing Procedure, setting a public hearing on March 6, 2001 at 1:30 p.m., and to:
 - (1) Authorize the City Manager to execute a joint community facilities agreement with the California Department of Transportation and to negotiate and execute agreements with E. Wagner & Associates for financial advisory services in an amount not to exceed \$95,000, for the term of January 1, 2000 to December 31, 2001, and with Berryman & Henigar, Inc. for special tax consulting services in an amount not to exceed \$50,000, for the term of August 15, 2000 to December 31, 2001.
 - (2) Authorize the City Attorney to negotiate and execute an agreement with Quint & Thimmig for bond counsel services in an amount not to exceed \$70,000, for the term of August 15, 2000 to December 31, 2001.
- (b) A resolution of intention to incur bonded indebtedness of the Proposed Community Facilities District No. 6 (Great Oaks - Route 85) pursuant to the City of San José Community Facilities District Financing Procedure in an amount not to exceed \$13,000,000.

CEQA: Resolution No. 69699. (Public Works/Finance)

Deferred 03/06/01.

6 TRANSPORTATION SERVICES

6.3 Approval of an agreement relating to the extension of Hellyer Avenue.

Recommendation: Approval of an agreement with Foxconn Asset Management, LLC, a California limited liability company, for the purchase of fee title in land required for the extension of Hellyer Avenue, located at 550 Piercy Road in San José, APN # 678-08-018, in the amount of \$1,876,600, plus related closing costs; and authorization for the Director of Public Works to negotiate and execute the necessary documents to complete the transaction. CEQA: Resolution No. 69699. (Public Works)

Approved. Noes: LeZotte.

7 ENVIRONMENTAL & UTILITY SERVICES

7.1 Approval of an agreement with PG&E for the Cool Roofs-Summer Initiative Program.

Recommendation:

- (a) Adoption of a resolution authorizing the City Manager to execute a service agreement with Pacific Gas and Electric Company to develop and implement a program to provide funding to commercial building owners for the installation of reflective roofing in the amount of \$621,000, for the period February 20, 2001 to January 31, 2002.

Resolution No. 70170 adopted.

- (b) Adoption of related appropriation ordinance and funding sources resolution amendments in the General Fund to appropriate the contract funds of \$621,000 to the Environmental Services Department.

(Environmental Services/City Manager's Office)

Ordinance No. 26300 adopted.

Resolution No. 70171 adopted.

7.2 Approval of an agreement for flow monitoring of the sanitary sewer system and rain gauge services.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute a one-year agreement with ADS Environmental Services for flow monitoring of the sanitary sewer system and rain gauge services at a cost not to exceed \$600,462.

(Public Works)

Resolution No. 70172 adopted.

8 AVIATION SERVICES

8.1 Approval to submit applications to the Federal Aviation Administration for Passenger Facility Charges.

Recommendation: Adoption of a resolution authorizing the Director of Aviation to submit three Passenger Facility Charges applications to the Federal Aviation Administration (FAA):

- (a) To impose and use Passenger Facility Charges at the \$4.50 PFC level for the Runway 30L Reconstruction and Extension Project at the San José International Airport, in the amount of \$44,407,000, inclusive of estimated financing cost;
- (b) To amend the Interim Federal Inspection Services Facility Project, to increase total cost by \$13,281,750;
- (c) To amend existing Passenger Facility Charges authority for the recently approved Passenger Facility Charge Application No. 9, to authorize collection at the \$4.50 PFC level.

CEQA: Resolution No. 67380. (Airport)

Resolution No. 70173 adopted.

9 PUBLIC SAFETY SERVICES

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEM 10.1 IN A JOINT SESSION

10.1 Approval of various actions with the intent to provide transitional housing for fire victims.

Recommendation: Adoption of resolutions by the City Council and Redevelopment Agency Board:

- (a) Approving the transfer of the Redevelopment Agency-owned property located at 937-943 Locust Street to the Housing Department to provide transitional housing for fire victims and others displaced through no fault of their own;
- (b) Authorizing the expenditure of up to \$500,000 in 20% Low and Moderate Income Housing Funds to make necessary repairs to the SRO building;
- (c) Authorizing the City Manager to select a provider to own and manage the property and to negotiate the terms of occupancy; and

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

- (d) Finding that the use of 20% Housing Funds for the project is of benefit to the Redevelopment Project Areas in San José.
(Fire/Housing)
(Deferred from 1/23/01 – Item 10.1)
Deferred to 03/06/01.

ADJOURN REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING

- **Closed Session Report**
- **Open Forum—**
 - (1) **Deborah Grant spoke on several issues concerning Santa Clara County services. Speaker advised to consult Santa Clara County Board of Supervisors.**
 - (2) **William Garbett spoke against PFC's and the ownership and development of Redevelopment Agency properties.**

Following Open Forum, Council recessed at 3:15 p.m. and reconvened at 7:05 p.m., Council Chambers, City Hall.

11 PUBLIC HEARINGS

(To be heard by the City Council at 7:00 p.m.)

11.1 Public Hearing on amendments to San José 2020 General Plan.

Recommendation: PUBLIC HEARING on proposed amendments consisting of changes to San José 2020 General Plan text and Land Use/Transportation Diagram, described as “Items Deferred from the 2000 Annual Review to February 2001.”

(Planning, Building, and Code Enforcement)

CEQA Resolution No. 70174 adopted (General Plan Item 11.1.2)

Resolution No. 70175 adopted. (General Plan Item 11.1.5)

11 PUBLIC HEARINGS

11.2 Public Hearing on conforming prezoning.

Recommendation: PUBLIC HEARING ON CONFORMING PREZONING of the property located on the north side of Alum Rock Avenue, 150 feet easterly of Pala Avenue, from County to C-2 Commercial Zoning District, to allow commercial uses on 0.61 gross acres. (Ramirez, Spunet, Lujan, Owners/Developers). CEQA: Exempt. C 98-08-061 - District 5

Ordinance No. 26301 passed for publication.

11.3 Public Hearing on conforming rezoning.

Recommendation: PUBLIC HEARING ON CONFORMING REZONING of the property located on the south side of Hillsdale Avenue between Snell Avenue and Hillcap Road, from the R-1:B-8 Residence Zoning District to M-1 Manufacturing Zoning District, to allow industrial uses on 2.08 gross acres. (James F. and Joanne Matthews, Owners; Barry Swensen Builder, Developer).

CEQA: Resolution No. 65459.

C 00-11-118 - District 7

Ordinance No. 26302 passed for publication.

- Open Forum

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- Adjournment

The Council of the City of San José adjourned at 8:10 p.m. to meet again on Wednesday, February 21, 2001, 8 a.m., and on Thursday, February 22, 2001, 8 a.m. for Adjourned Regular meetings, Council Chambers, City Hall.

The meeting was adjourned in memory of Donna Andrews, a Recreational Program Specialist for the Berryessa Community Center, who was a strong advocate for the needs of young people and committed to youth service.