



CITY COUNCIL AGENDA

MARCH 27, 2001

SYNOPSIS

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

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

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

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

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

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

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

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

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

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

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

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
Absent: Council Members – None.

1:30 p.m. - Regular Session, Council Chambers, City Hall
Absent: Council Members – None.
- **Invocation (District 3)**
The Reverend Steve Friend, Church of Scientology of San José, delivered the invocation, and was recognized for the Church’s valuable contributions to the City of San José.
- **Pledge of Allegiance**
Mayor Gonzales led in the Pledge of Allegiance.
- **Orders of the Day**
Approved.

1 CEREMONIAL ITEMS

- 1.1 Presentation of proclamation declaring April 2001 as Earthquake Preparedness Month. (Office of Emergency Services)
Mayor Gonzales presented the proclamation to David Pratt, who accepted the award on behalf of approximately 150 Radio Amateur Civil Emergency Service (R.A.C.E.S.) volunteers.
- 1.2 Presentation of a proclamation celebrating Arts Education. (Mayor)
Joining Mayor Gonzales at the Podium were Council Member Williams – Council Liaison to the Arts Commission, Roma Dawson of Tapestry In Talent, who accepted the proclamation, and representatives from 30 arts organizations and groups, who were acknowledged for their outstanding contributions to the youth of San José.

1 CEREMONIAL ITEMS

- 1.3 Presentation of a commendation to Chavez Family Vision, Inc., in honor of the Cesar Chavez holiday. (Chavez,Campos)
(Orders of the Day)

Joining Mayor Gonzales at the Podium were Council Members Chavez and Campos, Rita Chavez Medina, Lydia Chavez Medina, and Barbara Medina, who accepted the commendation, acknowledged that the State of California will celebrate its first statewide holiday in honor of Cesar Chavez and his life's work, and invited all to attend the festivities on Saturday, March 31, 2001, beginning at 9:00 a.m., Roosevelt Park in the City of San José.

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 City Council Minutes for:

- (a) Regular Meeting of November 28, 2000
Approved as amended to correct Council Member Reed's remarks on Item 15b to specifically reflect that he was talking about the year 2003 in terms of the energy needs and his opposition to the motion for approval; the correction to the last phrase of his comments should read "He could not conclude that the need in the year 2003 was greater than local interest and impact".
- (b) Joint City Council/San José Financing Authority Meeting of November 28, 2000
Approved.
- (c) Joint City Council/Redevelopment Agency Board Meeting of November 28, 2000
Approved.

2 CONSENT CALENDAR

2.2 Approval of an agreement with ArtPath for art workshops at schools through the Extended Learning Arts Pilot Project.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute a first amendment to the grant agreement with San José State University Foundation on behalf of ArtPath to increase the grant award by \$26,000, for a total grant award not to exceed \$84,000, in order to fund arts workshops in the Extended Learning Arts Pilot Project. (Conventions, Arts and Entertainment)

Resolution No. 70220 adopted.

2.3 Approval to submit a funding request to the California Department of Conservation, Division of Recycling.

Recommendation: Adoption of a resolution authorizing the Director of the Environmental Services Department to submit a funding request to the California Department of Conservation, Division of Recycling, for recycling program activities, in the amount of \$265,634, to execute all documents related to the application and to accept the funds on behalf of the City of San José. (Environmental Services)

Resolution No. 70221 adopted.

2.4 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 #35, and authorization for the Director of General Services to execute the purchase orders. (General Services)

Approved.

2.5 Approval to extend the agreement for janitorial services at the Convention Center.

Recommendation: Adoption of a resolution authorizing the Director of General Services to execute an amendment to the agreement with Service by Medallion, Inc. extending the contract for janitorial services at the Convention Center through April 30, 2001, for a total amount not to exceed \$175,000. (General Services)

Resolution No. 70222 adopted.

2 CONSENT CALENDAR

2.6 Approval to assign the City's agreement for uniform and laundry services to Aramark Services.

Recommendation: Adoption of a resolution authorizing the Director of General Services to execute the assignment of the agreement with L & N Uniform Supply Company to Aramark Services for uniform and laundry services Citywide and to amend the agreement to extend the term through April 30, 2001. (General Services)

Resolution No. 70223 adopted.

2.7 Approval to extend a lease for electric vehicles.

Recommendation: Adoption of a resolution authorizing the Director of General Services to execute an amendment extending for an additional year the current lease of 17 Toyota Rav4 electric vehicles from Toyota Motor Sales, USA, Inc., for a total of \$99,144 including taxes. (General Services)

Resolution No. 70224 adopted.

2.8 Approval of an agreement to assign a teacher to the San José Smart Start Program.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Oak Grove School District to allow assignment of a teacher to support the development and implementation of Kindergarten Readiness Criteria for the San José Smart Start Program for the period April 1, 2001 to June 30, 2002, in an amount not to exceed \$129,000.

(Parks, Recreation and Neighborhood Services)

Resolution No. 70225 adopted.

2.9 Approval of funding actions for trauma kits for the Police Department.

Recommendation: Adoption of appropriation ordinance and funding sources resolution amendments in the Gift Trust Fund for Trauma Kits for the Police Department, in the amount of \$18,000. (Police)

Ordinance No. 26335 adopted.

Resolution No. 70226 adopted.

2.10 Approval of a contract for the Street Lights Tropicana Neighborhood 2001 Project.

Recommendation: Report on bids and award of contract for the Street Lights Tropicana Neighborhood 2001 Project to the low bidder, Pacific Electric Co., for the Base Bid in the amount of \$151,606.50. CEQA: Exempt. Council District 7. (Public Works)

Approved.

2 CONSENT CALENDAR

2.11 Approval to increase compensation for a legal services agreement.

Recommendation: Adoption of a resolution authorizing the City Attorney to execute the fifth amendment to the legal services agreement with Ogden, Gibson, White, and Brooks to increase the compensation by \$165,000, for a total not to exceed \$565,000. (Board of Administration for the Police and Fire Department Retirement Plan)

Resolution No. 70227 adopted.

2.12 Approval of final map for Tract No. 9235.

Recommendation: TRACT NO. 9235 – Southeast corner of First Street and Baypointe Dr - The Irvine Company, a Delaware Corporation, by Irvine Apartment Communities, LLC (Developer) - 7 lots for apartment uses. Adoption of a resolution approving the final map for Tract No. 9235. CEQA: Resolution No. 68667. (Public Works)
(Rules Committee referral 3/21/01)

Resolution No. 70228 adopted.

2.13 Approval to extend an agreement for paramedic services.

Recommendation: Adoption of a resolution authorizing the City Manager to execute an amendment to the agreement with the County of Santa Clara for ALS First-Responder Services, to extend the agreement term from March 31, 2001 to June 30, 2001.
(City Manager's Office/Fire)

(Rules Committee referral 3/21/01)

Resolution No. 70229 adopted.

2.14 Appointments to the Project Diversity Screening Committee.

Recommendation: Approval of five appointments to the Project Diversity Screening Committee. (Mayor)

(Rules Committee referral 3/21/01)

Council approved appointments of the following individuals: Noel Montoya, Marlene Cassetta, Robert Avery, Don Gagliardi, and Everado Ramirez.

END OF CONSENT CALENDAR

3 STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session, Mayor Gonzales, Chair – November 29, 2000

(a) San José Municipal Water System

Council (1) accepted the staff presentation with direction to the Administration to address unresolved issues and report back to Council on December 12, 2000; and (2) deferred action on the recommendations to December 12, 2000 City Council meeting.

3.2 Report of the Rules Committee – March 14, 2001

Vice Mayor Shirakawa, Jr., Chair

(a) Redevelopment Agency

The Committee approved the March 27, 2001 Draft Agenda and referred to the Redevelopment Agency Board all Agenda items for consideration.

(b) City Council

(1) Review March 27, 2001 Draft Agenda

The Committee approved the March 27, 2001 City Council Agenda.

(2) Add New Items to March 20, 2001 Amended Agenda

The Committee recommended seven additions to the March 20, 2001 City Council Agenda.

(c) City Council Committees

(1) Amendments to Council Committee Agendas

(a) Finance and Infrastructure Committee

The Committee recommended Items (a) through (j) on the March 28, 2001 Agenda be deferred to the Finance and Infrastructure Committee Meeting of April 11, 2001 to allow the Committee to hear Council Appointee Budget presentations on March 28, 2001.

(b) Economic Development and Environment Committee

None Presented.

(c) Education, Neighborhoods, Youth, and Seniors Committee

None Presented.

(d) Ad Hoc Traffic Calming Advisory Committee

None Presented.

(d) Meeting Schedules

(1) Request to schedule a Study Session on the Strong Neighborhoods Initiative (SNI) on April 5, 2001, at 8:00 a.m.-12:00 noon in Council Chambers

This Item Dropped.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – March 14, 2001 – (Cont'd.) Vice Mayor Shirakawa, Jr., Chair

- (d) Meeting Schedules
 - (2) General Plan Hearing
 - (a) Request to set additional hearing on August 21, 2001, at 7:00 p.m., to hear amendments regarding housing
The Committee recommended approval of an additional General Plan Hearing to be held on August 21, 2001 at 7:00 p.m. to hear amendments regarding housing and to set Thursday, April 5, 2001 at 5:00 p.m. as the deadline for submittal of completed proposed General Plan amendments to be reviewed at that meeting.
 - (3) Request for Study Session for San José Greater Downtown Strategy for Development: Strategy 2000, March 27, 2001, at 7:00 p.m.
 - (b) Request to set Thursday, April 5, 2001, at 5:00 p.m., as the deadline for submittal of completed proposed General Plan amendments to be reviewed
The Committee recommended a Study Session to be held on March 27, 2001 at 7:00 p.m. in Council Chambers for discussion and development of priorities and direction for implementation of the San José Greater Downtown Strategy for Development: Strategy 2000.
- (e) The Public Record for the period February 28 to March 6, 2001
The Committee noted and filed the Public Record for the period February 28, 2001 to March 6, 2001.
- (f) Boards, Commissions, and Committees
 - (1) Campaign Finance Review and Ethics Board – Request to extend term expiration date of Chair Alex Stuart from March 1 to August 31, 2001
The Committee recommended approval of the request to extend the term expiration date of Chair Alex Stuart from March 1 to August 31, 2001.
 - (2) Deferred Compensation Advisory Committee – Recommendation to appoint Bill Pope as one of the general employee representatives, for a term ending March 1, 2002
The Committee recommended Bill Pope be appointed to the Deferred Compensation Advisory Committee for an unexpired term ending March 1, 2002.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – March 14, 2001 – (Cont'd.)

Vice Mayor Shirakawa, Jr., Chair

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

None Presented.

(h) Administrative Reviews and Approval

None Presented.

(j) Oral communications

None Presented.

(j) Adjournment

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

The Rules Committee Report and actions of March 14, 2001 accepted.

3.3 Report of the Finance and Infrastructure Committee

Council Member Dando, Chair

No Report.

3.4 Approval of various changes to the Administration's organizational structure.

Recommendation:

(a) Approval of an ordinance to amend Chapter 2.04 of Title 2 of the San José Municipal Code to:

(1) Create a Department of Transportation by consolidating the transportation functions of the Departments of Streets and Traffic and Public Works.

(2) Modify the responsibilities of the Department of Parks, Recreation, and Neighborhood Services by adding animal services and moving regional park management from Convention, Arts, and Entertainment to the Department of Parks, Recreation, and Neighborhood Services.

(b) Approval of a new Assistant Director (Unclassified, Job Code 8048) in the Department of Parks, Recreation, and Neighborhood Services to assist with managing the Department's expanded responsibilities.

(City Manager's Office)

Ordinance No. 26336 passed for publication.

3 STRATEGIC SUPPORT SERVICES

3.5 Approval to extend agreements for the purchase of computer hardware, software, and peripherals.

Recommendation: Adoption of a resolution authorizing the Director of General Services to execute third amendments to the agreements for the purchase of City-wide computer hardware, software, and peripherals with Computerland of Silicon Valley and Sarcom, Inc. respectively as follows:

- (a) Extend the agreements for approximately 6 weeks from May 20, 2001 through June 30, 2001, for the purchase of computer hardware, software, and peripherals with Computerland of Almaden and Sarcom, Inc. and increase the cost by \$1,500,000 for both companies, for a total authorized expenditure of \$7,500,000.
- (b) Amend either agreement, as required, to purchase more or less from either vendor within the total annual amount not to exceed \$7,500,000.
- (c) Exercise the options to extend either or both agreements for 3 additional one-year extensions, in an amount not to exceed \$8,000,000 each year for both companies, without further Council action other than the appropriation of funds.

(General Services)

Resolution No. 70230 adopted.

Council approved contract extension to the agreements for purchase of computer hardware, software, and peripherals with the following amendment: (d) to direct staff to include the level of energy consumption and related energy costs savings as a criteria for selecting new and replacement computer desktop equipment, laptop computers, and monitors; and (e) to direct staff to return to Council within 30 days with a methodology to determine the energy cost savings under higher energy-efficiency standards similar to Energy Star standards for all City purchases of computer hardware, software, and peripherals.

3.6 Approval of an agreement for the installation, integration, and maintenance of computer equipment.

Recommendation: Report on Request for Proposal and adoption of a resolution authorizing the Director of General Services:

- (a) To negotiate and execute an agreement for the acquisition, installation, integration, and maintenance of computer equipment with Sun Microsystems, Inc. in the amount of \$1,556,301.30, including tax.
- (b) To negotiate and execute change orders in an additional amount not to exceed \$43,698.70 as a contingency to cover unanticipated requirements encountered during the implementation process for this project.

(General Services/Information Technology)

Resolution No. 70231 adopted.

Noes: Dando, Shirakawa, Jr.

Disqualified: Williams, stockholder and former IBM employee; and Yeager, financial interest in computer equipment industry.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

- 4.1 Report of the Economic Development & Environment Committee
Council Member Williams, Chair
No Report.**

- 4.2 Approval of the Midtown Park Master Plan.**

Recommendation: Approval of the Midtown Park Master Plan. CEQA: Negative Declaration. Council District 6. (Public Works)

**This Item was renumbered to Item 5.4
See Item 5.4 for Council action taken.**

- 4.3 Approval to exceed development standards.**

Recommendation: Adoption of a resolution approving a developer's request to exceed the maximum floor area (FAR), number of stories and height development standards applicable to the proposed 17 story Class A tower of approximately 325,000 net square feet of office and 16,600 square feet of ground level retail space (FAR ~ 14:1) with a maximum height of 273 feet above grade, to be located between First and Second Streets on the south side of San Fernando Street. CEQA: Resolution No. 68839.

(Redevelopment Agency)

Resolution No. 70232 adopted.

Council directed RDA Staff (a) to work with the Developer on specific lighting enhancements to the roof of the building, (b) to review possible landscaping for the front of the building sited on San Fernando, (c) to consult with Lick Observatory regarding roof lighting and provide Council with a copy of the Observatory's letter of acceptance or approval to proposed lighting designs, if granted, and (d) to submit to Council an aerial photograph of the proposed structure.

- 4.4 Approval to amend a contract for the Tuers-Capitol Golf Course Project.**

Recommendation:

- (a) Approval of Contract Change Order No. 3 for the Tuers-Capitol Golf Course Project with Granite Construction, Inc., in the amount not to exceed \$400,000, for a total contract amount of \$14,612,623.83, and approval of an increase to the construction contingency amount from \$475,000 to \$875,000. CEQA: Negative Declaration. Council District 7. (Public Works)

Approved.

- (b) Adoption of appropriation ordinance amendments in the General Fund to provide an additional \$174,000 for the Wildlife Center Relocation Project. (City Manager's Office)

(Rules Committee referral 3/21/01)

Ordinance No. 26337 adopted.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.5 Approval of various actions regarding Proposed Community Facilities District No. 5.

Recommendation:

- (a) Close the public hearing on the proposed formation of Community Facilities District No. 5 (North Coyote Valley).
- (b) Adoption of a resolution directing recording of Notice of Abandonment for Community Facilities District No. 5 (North Coyote Valley).
- (c) Adoption of a Resolution of Intention to establish Community Facilities District No. 5A (North Coyote Valley) and set the public hearing on this matter for March 27, 2001 at 1:30 p.m.

CEQA: Resolution No. 69957. (Public Works)

(Continued from 11/7/00 – Item 10a et al., and 3/20/01 – Item 4.2)

Deferred to 04/03/01.

5 RECREATION & CULTURAL SERVICES

5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee Council Member Chavez, Chair

No Report.

5.2 Approval of an agreement for an all-weather running track at Mount Pleasant High School.

Recommendation: Approval of an agreement with East Side Union High School District to fund installation of an all-weather running track at Mount Pleasant High School in the amount of \$920,662, in exchange for City access to the improvements.
CEQA: Exempt. Council District 5. (Parks, Recreation and Neighborhood Services)

Approved.

5.3 Approval of agreements to continue development of the San José Smart Start Centers.

Recommendation:

- (a) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Santa Clara County Office of Education (COE) in an amount not to exceed \$482,500, for the development of facilities at Hillsdale Elementary School to be operated as San José Smart Start Early Childhood Development Center for a term ending June 30, 2015.

Resolution No. 70233 adopted.

This item continued on the next page.

5 RECREATION & CULTURAL SERVICES

5.3 Approval of agreements to continue development of the San José Smart Start Centers

Recommendation:

- (b) Adoption of a resolution authorizing the City Manager to negotiate and execute an amendment to the agreement with the Santa Clara County Office of Education for the San José Smart Start Centers at George Shirakawa Sr. and McKinley Elementary Schools, increasing agreement amount by \$59,000, for a total of \$700,650, for a term ending June 30, 2015.

CEQA: Exempt. Council Districts 3 and 7. (Parks, Recreation and Neighborhood Services)

Resolution No. 70234 adopted.

5.4 Approval of the Midtown Park Master Plan.

Recommendation: Approval of the Midtown Park Master Plan. CEQA: Negative Declaration. Council District 6. (Public Works)

**This item renumbered from Item 4.2
Approved.**

6 TRANSPORTATION SERVICES

6.1 Traffic Calming Advisory Committee (Ad Hoc) Council Member Reed, Chair No Report.

6.2 Public Hearing and approval of various actions related to the formation of Community Facilities District No. 6 (Great Oaks – Route 85).

Recommendation: Public Hearing on the formation of Community Facilities District No. 6 (Great Oaks – Route 85) and

- (a) Adoption of a resolution forming Community Facilities District No. 6, authorizing the levy of a special tax, preliminarily establishing an appropriations limit therefore and submitting a levy of the special tax and establishing of the appropriations limit to the qualified electors.

Resolution No. 70235 adopted.

This item continued on the next page.

6 TRANSPORTATION SERVICES

6.2 Public Hearing and approval of various actions related to the formation of Community Facilities District No. 6 (Great Oaks – Route 85). – (Cont'd.)

Recommendation: Public Hearing on the formation of Community Facilities District No. 6 (Great Oaks – Route 85) and

- (b) Adoption of a resolution determining the necessity to incur bonded indebtedness within Community Facilities District No. 6 and submission to the qualified electors.

Resolution No. 70236 adopted.

- (c) Adoption of a resolution calling for the Special Election for Community Facilities District No. 6.

Resolution No. 70237 adopted.

- (d) Adoption of a resolution declaring the results of the Special Election and directing the recording of the notice of the special tax lien.

Resolution No. 70238 adopted.

- (e) Adoption of an ordinance levying special taxes within Community Facilities District No. 6.

CEQA: Resolution No. 69699.

(Public Works/Finance)

Ordinance No. 26338 passed for publication.

6.3 Approval of contracts for the FY 2000-2001 Paver Placed Surface Seal Project and the Slurry Seal Project.

Recommendation:

- (a) Report of bids and award of contract to the low bidder O'Grady Paving, Inc., in the amount of \$2,356,750 for the FY 2000-2001 Remove and Replace Damaged Pavement for SNI areas and Paver Placed Surface Seal Streets Project.

Approved.

- (b) Report of bids and award of contract to the low bidder G. Bortolotto & Company, Inc., in the amount of \$2,974,290 for the FY 2000-2001 Remove and Replace Damaged Pavement for Slurry Seal Streets Project.

CEQA: Exempt. (Streets and Traffic)

Approved.

Council directed Staff to include in the current budget cycle for review funding options for alleyway repair and maintenance, and to provide Council with maps plotting SNI areas by Council District.

6 TRANSPORTATION SERVICES

6.4 Approval of an agreement for the 1996 Measure A+B Transportation Improvement Program/Capitol Light Rail Project.

Recommendation: Approval of a cooperative agreement with the Santa Clara Valley Transportation Authority for the construction of improvements associated with the 1996 Measure A+B Transportation Improvement Program/Capitol Light Rail Project, in an amount not to exceed \$794,991. Council Districts 4 and 5. CEQA: Exempt. (Streets and Traffic)

Approved.

7 ENVIRONMENTAL & UTILITY SERVICES

7.1 Approval of agreements to provide South Bay Water Recycling customer retrofit design and construction services at the Water Pollution Control Plant.

Recommendation:

- (a) Approval of an agreement with Kennedy/Jenks for professional engineering services to provide South Bay Water Recycling Customer Retrofit Design and Construction Services for the period March 31, 2001 to December 31, 2003, in an amount not to exceed \$1,852,892.

Approved.

- (b) Approval of an amendment to the agreement with Montgomery Watson Americas, Inc., for professional engineering services, extending the term of the agreement by 12 months, from March 31, 2001 to March 31, 2002, at no additional cost.

CEQA: Resolution No. 64667. (Environmental Services)

Approved.

7.2 Approval of agreements for the 2002 Recycle Plus Program and acceptance of the status reports.

Recommendation:

- (a) Approval of the 2002 Recycle Plus Program agreements with:
- (1) GreenTeam of San José for Recycle Plus Integrated Waste Management Services (SFD District B and MFD Districts A and B/C).

Approved.

This item continued on the next page.

7 ENVIRONMENTAL & UTILITY SERVICES

7.2 Approval of agreements for the 2002 Recycle Plus Program and acceptance of the status reports – (Cont'd.)

Recommendation:

- (a) Approval of the 2002 Recycle Plus Program agreements with:
 - (2) GreenWaste Recovery, Inc. for Yard Trimmings Collection and Residential Street Sweeping Services (Districts A and B).
Approved.
 - (3) Norcal Waste Systems of San José, Inc. for Recycle Plus Integrated Waste Management Services (SFD Districts A and C).
Approved.
 - (4) Norcal Waste Systems of San José, Inc. for Yard Trimmings Collection and Residential Street Sweeping Services (District C).
Approved.
- (b) Acceptance of the Recycle Plus Transition Update Report.
(Environmental Services)
- (c) Acceptance of the report on the impacts of curbside parking on the Residential Street Sweeping Program and direction to staff to refer possible enhancements to the Residential Street Sweeping Program to the annual budget process.
(Streets and Traffic)
Council accepted the reports and approved direction to Staff.

7.3 Approval of various actions to support and encourage the use of electric and other non-polluting vehicles in San José.

Recommendation:

- (a) Adoption of a resolution approving a new Master Parking Rate Schedule incorporating free parking for non-polluting vehicles at City municipal off-street parking facilities and on-street parking meters on a two-year pilot basis.
- (b) Adoption of a resolution amending the Schedule of Fees for the Use of Parks and Recreational Facilities incorporating free parking for non-polluting vehicles at City regional parks on a two-year pilot basis.
- (c) Direct staff to develop an ordinance that prohibits parking of non-electric vehicles in spaces reserved for electric vehicles.
- (d) Direct staff to develop guidelines to support the use of Neighborhood Electric Vehicles.
- (e) Direct staff to explore opportunities to expand the Alternative Fuel Vehicle Program to increase the City's fleet of non-polluting vehicles where feasible.
- (f) Direct staff to review the Bay Area Air Quality Management District model ordinance for Zero Emission Vehicles/Clean Air Vehicles and to develop a Clean Air Program that incorporates aspects of the ordinance that are appropriate for the City of San José.

Deferred to 04/03/01.

7 ENVIRONMENTAL & UTILITY SERVICES

7.4 Acceptance of the Statement of Purpose regarding Silicon Valley energy solutions.

Recommendation: Approval to accept the Statement of Purpose regarding Silicon Valley energy solutions created by the mayors of Santa Clara County cities and the chairperson of the County of Santa Clara Board of Supervisors at the Silicon Valley Energy Summit held on March 16, 2001. (Mayor)
(Orders of the Day)

Approved.

8 AVIATION SERVICES

9 PUBLIC SAFETY SERVICES

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

REDEVELOPMENT AGENCY BOARD CONVENED AT 4:44 P.M. TO CONSIDER ITEM 10.1 IN A JOINT SESSION

10.1 Approval of an agreement between the City and Agency for the loan of Deputy Redevelopment Managers.

Recommendation:

- (1) Adoption of a resolution by the City Council amending the City Pay Plan to increase the current pay range of Deputy Redevelopment Manager (U)(1684) to the Senior Staff Department Director level; and,

Resolution No. 70240 adopted.

- (2) Adoption of resolutions by the City Council and Agency Board approving a cooperation agreement between the City and the Agency for the loan of Deputy Redevelopment Managers to the Agency.

(Redevelopment Agency/City Manager's Office)

(Rules Committee referral 3/21/01)

Resolution No. 70241 adopted.

Redevelopment Agency Board Resolution Adopted.

REDEVELOPMENT AGENCY BOARD ADJOURNED AT 4:45 P.M.

- **Closed Session Report**

Disclosure of Closed Session Action of March 27, 2001 submitted by City Attorney, J. Richard Doyle:

- A. Authority to Initiate Litigation**

- 1. Case Name, Action, Defendants and Substance of Litigation to be Disclosed to Any Person Upon Inquiry Once Actions Formerly Commenced.**

Council Vote: Ayes: Campos, Chavez, Cortesé, Dando, Diquisto, LeZotte, Reed, Shirakawa, Jr., Williams, Yeager; Gonzales.
Noes: None.
Absent: None.
Disqualified: None.

- **Open Forum—**

- **Bob Rapp and Dewey Lipe spoke on utility rates and services and the energy crisis in California.**

-
-

- **Adjournment**

The Council of the City of San José adjourned at 4:47 p.m.

Verbatim transcripts of Council Member Chavez’ motion for approval of Agenda item 7.2:

What I’d like to do is to make a motion to accept (a), (b), and (c) with two caveats: Under (a) I would like to add this as part of the motion: That as a Council we made an error and left out the MERF sorters and workers out of the prevailing wage requirement and in the RFP. If we have such a policy it makes sense to include these workers as well, and I’d like to direct Staff to engage in discussions with both SFD haulers regarding payment of prevailing wages to these employees and ask Staff to return to Council with a full report on this issue and any impacts that may result from this change. In addition to that, as it relates to my favorite topic, street sweeping, while I’m interested in accepting the report, what I’d like to suggest is that we have a workplan with benchmarks and incentives, and explore further incentives and compliance for street sweeping. I’m not necessarily connecting that just to the new contracts we’re discussing, but actually current problems we’re having with street sweeping. I’d like to make that motion.