



# CITY COUNCIL AGENDA

**MAY 29, 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.**

Agendas and Staff Reports for City Council items may be viewed on the Internet at [www.ci.san-jose.ca.us/cty\\_clk/agenda.htm](http://www.ci.san-jose.ca.us/cty_clk/agenda.htm)

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**  
9:35 a.m. - Closed Session, Room 600, City Hall  
Absent - Council Members: Chavez (excused); Diquisto (excused)  
  
1:33 p.m. - Regular Session, Council Chambers, City Hall  
Absent - Council Members: Diquisto (excused)
- **Invocation (District 5)**  
Ballet Folklorico Dancers from the James Lick High School performed a La Bruja dance from the region of the Yucatan Peninsula.
- **Pledge of Allegiance**  
Mayor Gonzales led the Pledge of Allegiance.
- **Orders of the Day**  
Item 2.12 was deferred to 06/12/01.

## **1 CEREMONIAL ITEMS**

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- 1.1** Presentation of a proclamation declaring June 2, 2001, “YMCA Day.” (LeZotte)  
Mayor Gonzales was joined by Council Member LeZotte for presentation of a proclamation declaring June 2, 2001 “YMCA Day”; the proclamation was accepted by Mario Vargas, Director of the Southwest YMCA.

# 1 CEREMONIAL ITEMS

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- 1.2 Presentation of plaques to Craig Tanaka for 5 years 11 months service on the Historic Landmarks Commission and to Al Yahanda for 3 years 4 months service on the Senior Citizens Commission. (Mayor)  
**Mayor Gonzales commended Craig Tanaka and Al Yahanda for service on the Historic Landmarks Commission and the Senior Citizens Commission; plaques will be sent to both recipients, who were unable to be present.**
- 1.3 Presentation of a commendation to Ms. Celeste McInerney for her excellent job performance at the Family Violence Center. (Dando)  
(Rules Committee referral 5/23/01)  
**Council Member Dando joined Mayor Gonzales for presentation of a commendation to Celeste McInerney of the Santa Clara County Probation Office for providing cooperative services at the San José Family Violence Center. Ms. McInerney accepted the award and recognized her supervisors from the Santa Clara County Probation Office, who were in the audience.**
- 1.4 Presentation of a commendation to The Neighborhood Clean Up Program, for their efforts to improve the quality of life and environment with the help of dedicated volunteers and residents throughout the City of San José. (Campos)  
(Orders of the Day)  
**Mayor Gonzales was joined by Council Member Campos for presentation of a commendation to Steve Emslie, Deputy Director, Code Enforcement Division of Department of Planning, Building and Code Enforcement and Lance Uyeda, Code Enforcement Neighborhood Clean Up Program Supervisor. Deputy Director Steve Emslie credited the Concentrated Code Enforcement Staff for the success of the Program and asked Staff in the audience to stand to be recognized.**

# 2 CONSENT CALENDAR

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**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) Adjourned regular meeting of February 21, 2001 – Council Referral Priorization Session #1
- (b) Adjourned regular meeting of February 22, 2001 - Council Referral Priorization Session #2
- (c) Regular meeting of February 27, 2001.
- (d) Joint City Council/Financing Authority meeting of February 27, 2001.
- (e) Joint City Council/Redevelopment Agency meeting of February 27, 2001.

**Approved.**

## 2 CONSENT CALENDAR

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### 2.2 Final adoption of ordinances.

**Recommendation:** Final adoption of ordinances:

- (a) ORD. NO. 26385 – Amends Sections 14.22.030 and 14.22.080 of Chapter 14.22 of Title 14 of the San José Municipal Code to modify eligibility criteria and repayment requirements of the Deferred Assessment Program.  
**Ordinance No. 26385 adopted.**
  
- (b) ORD. NO. 26387 – Amends Part 36 of Chapter 2.08 of Title 2 of the San José Municipal Code to clarify the appointment process for members of the Downtown Parking Board and to allow members to serve second terms.  
**Ordinance No. 26387 adopted.**
  
- (c) ORD. NO. 26390 – Rezones certain real property situated at the southwest corner of Interstate 280 and Northrup Street. PDC 00-08-071  
**Ordinance No. 26390 adopted.**
  
- (d) ORD. NO. 26391 - Rezones certain real property situated on the northwestern corner of Magliocco Drive and Huff Avenue. PDC 01-01-008  
**Ordinance No. 26391 adopted.**
  
- (e) ORD. NO. 26392 - Rezones certain real property situated at the east side of Clemence Avenue approximately 310 feet southerly of Owsley Avenue. PDCSH 01-02-022  
**Ordinance No. 26392 adopted.**
  
- (f) ORD. NO. 26393 – Amends Part 5 of Chapter 23.04 of Title 23 of the San José Municipal Code by adding a new Section 23.04.495 to allow agreements for the removal of billboards.  
**Ordinance No. 26393 adopted.**

### 2.3 Approval of an agreement for the preparation of Airport Noise Exposure Maps and Reports.

**Recommendation:** Approval of a first amendment to the consultant agreement with Brown Buntin Associates, Inc. for the preparation of Airport Noise Exposure Maps and Reports, increasing compensation by \$60,000, from \$50,000 to \$110,000, and extending the agreement term from June 30, 2001 to June 30, 2002. (Airport)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.4 Approval of an agreement to develop a RFQ for power generation facilities and analytical services related to energy generation facilities.

**Recommendation:** Approval of a consultant agreement with Davis Power Consultants, in an amount not to exceed \$100,000, for assistance with the development of City Requests for Qualifications for development of power generation facilities on City-owned property and analytical services on energy and environmental issues associated with energy generation facilities, for an agreement term from March 22, 2001 through June 30, 2002. (Environmental Services)

**Approved.**

### 2.5 Approval of participation in a unified statewide DBE certification program and approval of an agreement.

**Recommendation:** Adoption of a resolution approving the City of San José participation in a unified statewide DBE certification program, and authorizing the City Manager to execute an agreement and declaration to participate as a certified member in the Unified Certification Program under federal DOT regulations. (Equality Assurance)

**Resolution No. 70373 adopted.**

### 2.6 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 #45, and authorization for the Director of General Services to execute the purchase orders. (General Services)

**Approved.**

### 2.7 Approval of the sole source purchase of replacement mobile and portable radios.

**Recommendation:** Award the sole source purchase of thirty (30) Motorola Astro-Spectra W4 mobile radios and forty-five (45) Motorola XTS3000 portable radios, for the Police Department, to Motorola C & E Inc. at a total cost of \$301,098.35, including tax, and delivery and authorization for the Director of General Services to execute the purchase order. (General Services)

**Approved.**

### 2.8 Approval to extend an agreement for services related to Phase III of the Branch Facilities Master Plan.

**Recommendation:** Approval of a continuation agreement with Group 4/Architecture, Research and Planning, Inc., for Phase III of the Branch Facilities Master Plan, to extend the agreement term from December 31, 2000 to June 30, 2001, at no additional cost to the City. (Library)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.9 Approval of an agreement for the construction of a library at Santee Elementary School.

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Franklin McKinley School District to assist in the construction of a library at Santee Elementary School, in an amount not to exceed \$250,000. CEQA: Exempt. Council District 7. (Parks, Recreation and Neighborhood Services)

**Resolution No. 70374 adopted.**

### 2.10 Approval of a grant agreement for the operation of swimming pools.

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute a grant agreement with the East Side Union High School District for the operation of the District's swimming pools for the period June 1, 2001 to October 31, 2001, in the amount of \$97,000. (Parks, Recreation and Neighborhood Services)

**Resolution No. 70375 adopted.**

### 2.11 Approval of an agreement for the preparation of the Housing Opportunity Study, Phase II.

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with David J. Powers & Associates, Inc. for the preparation of an Environmental Impact Report and/or necessary environmental documents to support Phase II of the Housing Opportunity Study, in the amount of \$197,600, for the period May 10, 2001 to January 15, 2002. (Planning, Building and Code Enforcement)

**Resolution No. 70376 adopted.**

### 2.12 Approval of the reorganization and annexation of territory designated at Lick No. 27.

**Recommendation:** Adoption of a resolution authorizing the reorganization of territory designated as Lick No. 27, which involves the annexation to the City of San José of 148.8 acres of land, located east of Zanker Road, west of Coyote Creek, north and south of SR-237 and generally bounded by the City of San José Annexation #735 – Lick No. 6, the City of San José Annexation #1960 – Lick No. 17, the City of Milpitas Annexation 1986- Lick No. 2, and the detachment of the same from the appropriate special districts including the Central Fire Protection District, County Library Service Area, and Santa Clara Valley County Water. CEQA: Resolution No. 70259. Council District 4. (Planning, Building and Code Enforcement)

**Deferred to 6/12/01.**

## 2 CONSENT CALENDAR

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### 2.13 Approval of various actions related to the High Intensity Drug Trafficking Area Program.

**Recommendation:**

- (a) Adoption of a resolution accepting an award from the Office of National Drug Control Policy for a High Intensity Drug Trafficking Area program in the amount of \$52,668.

**Resolution No. 70377 adopted.**

- (b) Approval of an agreement with the California Department of Justice Bureau of Narcotic Enforcement for continuation of the South Bay High Intensity Drug Trafficking Area Task Force for the period January 1, 2001 through December 31, 2001, in the amount of \$19,038.

**Approved.**

- (c) Adoption of related amendments to the appropriation ordinance and funding sources resolution in the General Fund to increase the Police Department's personal services by \$71,706 for expenses related to the award.

(Police/City Manager's Office)

**Ordinance No. 26397 adopted.**

**Resolution No. 70378 adopted.**

### 2.14 Approval of an agreement for the San Tomas Aquino/Saratoga Creek Trail Reach 6 Project.

**Recommendation:** Approval of an agreement for consultant services with The Planning Collaborative, Inc. for the San Tomas Aquino/Saratoga Creek Trail Reach 6 feasibility study and design development for a base fee amount of \$249,500, from the date of execution to December 31, 2002. Council District 1. (Public Works)

**Approved.**

### 2.15 Approval of a property use agreement for the operation of a telecommunications facility.

**Recommendation:** Approval of a five-year property use agreement, with one five-year option, with Mobilestar Network Corporation, allowing for the construction, installation, maintenance, and operation of a telecommunications facility at 1661 and 2077 Airport Boulevard, at an annual rent of \$60,000 plus \$55 per square foot per annum floor space or shelf space, with yearly increases in both at the greater of 4% or the rise in the Consumer Price Index. (Public Works/Airport)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.16 Approval of contract for the Convention Center Expansion Joint Replacement Project.

**Recommendation:** Report on bids and award of contract for the Convention Center Expansion Joint Replacement Project to the sole bidder, Performance Contracting, Inc. for \$138,090 and approval of a contingency in the amount of \$20,000. CEQA: Exempt. Council District 3. (Public Works)

**Approved.**

### 2.17 Approval to use the Compaq Center of San Jose for a City Event.

**Recommendation:** Approval of one proposed City Event, as provided in the San José Management Agreement, for use at the San José Arena on August 17, 2001 for the 2001 Police and Fire Summer Games, Boxing Finals, and the Police Officer & Fire Fighter Memorial Service. (San José Arena Authority)

**Approved.**

### 2.18 Number not used.

### 2.19 Approval of an agreement for the operation of telecommunications facilities.

**Recommendation:** Approval of a five-year property use agreement, with one five-year option, with Sprint PCS, allowing for the construction, installation, maintenance, and operation of telecommunications facilities at 1661 and 2077 Airport Boulevard, at an annual base rent of \$60,000 plus \$55 per square foot per year for floor and shelf space, with yearly increases in base and square foot charges at the greater of 4% or the rise in the Consumer Price Index. CEQA: Exempt. Council District 3. (Public Works) (Deferred from 5/8/01 – Item 2.14 et al., and 5/22/01 – Item 2.11)

**Approved.**

### 2.20 Appointment of the liaison to the Santa Clara County Cities Association.

**Recommendation:** Approval of appointment of Council Member Cortese to serve as the liaison to the Santa Clara County Cities Association. (Mayor) (Rules Committee referral 5/23/01)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.21 Approval of an ordinance authorizing Council Appointees to make minor amendments to City Council approved contracts.

**Recommendation:** Approval of an ordinance amending Chapter 4.04 of Title 4 of the San José Municipal Code by adding a new Section 4.04.055 to authorize the City Manager, City Attorney, City Auditor, and City Clerk to approve minor amendments to contracts previously approved by the City Council which involve no increase in compensation: to extend the term up to 6 consecutive months, to make minor revisions to scopes of services and to make clerical corrections; and to approve assignments of contracts. (City Attorney's Office)

(Rules Committee referral 5/23/01)

**Ordinance No. 26398 passed for publication.**

**END OF CONSENT CALENDAR**

## 3 STRATEGIC SUPPORT SERVICES

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

### 3.2 Report of the Rules Committee – May 16, 2001 Vice Mayor Shirakawa, Jr., Chair

(a) Redevelopment Agency items reported out at Redevelopment Agency meeting

(b) City Council

(1) Review May 29, 2001 Draft Agenda

**The Committee approved the May 29, 2001 City Council agenda.**

(2) Add New Items to May 22, 2001 Amended Agenda

**The Committee recommended four additions to the May 22, 2001 City Council agenda.**

(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 filed.**

(d) Meeting Schedules

**The Committee recommended rescheduling the Public Hearing to discuss the Fees and Charges Budget from Monday, May 21, to Tuesday, May 22, 2001 at 7:00 p.m.**

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – May 16, 2001 (Cont'd.) Vice Mayor Shirakawa, Jr., Chair

- (e) The Public Record – May 2 to May 8, 2001  
**The Committee noted and filed the Public Record.**
  
- (f) Boards, Commissions and Committees
  - (1) Appoint two community representatives to the Airport Noise Monitoring Committee  
**The Committee recommended appointment of Russ McBrien and Cathy Marshall as community representatives to the Airport Noise Monitoring Committee.**
  
  - (2) Recommend 15 community organizations to be appointed to the Project Area Committee for the proposed Strong Neighborhood Initiative Redevelopment Project Area  
**The Committee recommended approval of Vice Mayor Shirakawa, Jr.'s plan and directed Districts 1, 5, 6, 7, 8, 9, 10 and the Mayor's Office to submit their nominations to the City Clerk's Office by Monday, May 21, 2001, at 5:00 p.m.**
  
- (g) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee  
**None filed.**
  
- (h) Administrative Reviews and Approval
  - (1) Request to use Council General Funds by Council Member Dando to attend the National League of Cities TEA-21 Task Force Meeting and TIS Spring Meeting, June 13-17, 2001, in Hoffman Estates, Illinois  
**The Committee recommended approval for use of Council General funds by Council Member Dando to attend the National League of Cities Transportation Equity Act of the 21<sup>st</sup> Century Task Force Meeting and Transportation and Infrastructure Services Spring Meeting from June 13-17, 2001 in Hoffman Estates, Illinois.**
  
- (i) Oral communications  
**None presented.**
  
- (j) Adjournment  
**The meeting was adjourned at 2:45 p.m.**

**Rules Committee report and actions of May 16, 2001 accepted.**

### **3 STRATEGIC SUPPORT SERVICES**

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- 3.3 Report of the Finance and Infrastructure Committee  
Council Member Dando, Chair  
No report.**

- 3.4 Approval to waive the Revolving Door Ordinance.**

**Recommendation:** Approval to waive the Revolving Door Ordinance to allow former Council Member Charlotte Powers to contract with the City of San José to provide assistance with neighborhood outreach and related issues for the San José International Airport. (Airport)

**Approved. Noes: Yeager.**

**Staff directed to review the feasibility of a permanent exclusion in the Revolving Door Ordinance for the purpose of conducting community outreach, for referral to Council's Referral Prioritization Process.**

### **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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

- 4.2 Approval to amend the Municipal Code for suspensions granted to newly-constructed very low-income housing.**

**Recommendation:** Approval of an ordinance amending the City of San José Municipal Code Sections 4.46.039.5, 4.47.092, 4.54.038, and 4.64.035 of Title 4 to extend through June 30, 2006, the suspension granted to newly-constructed very low-income (includes extremely low-income households) housing from the following taxes:

- (a) City's Building and Structure Construction Tax;
- (b) Construction Portion of the Construction and Conveyance Tax;
- (c) Commercial-Residential Mobilehome Park Building Tax (CRMP); and
- (d) Residential Construction Tax.

(Housing)

**Ordinance No. 26399 passed for publication.**

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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### **4.3 Approval of various actions related to the Roberts Avenue Senior Housing Development.**

**Recommendation:** Adoption of a resolution:

- (a) Approving fund reservations for a loan of up to \$6,100,000 and a grant of up to \$1,500,000 to Roberts Avenue, Inc., for the 100-unit Roberts Avenue Senior Housing Development, affordable to very low-income seniors, located at the northeast corner of Roberts Avenue and Vintage Way.
- (b) Authorizing the Director of Housing or her designee to negotiate and execute an option agreement for the purchase of property by Roberts Avenue, Inc., or its designated affiliate from the City of San José.
- (c) Authorizing the Director of Housing to apply, on behalf of the City, as co-sponsor of the project in the application to CHFA for CDLAC allocation, if appropriate.
- (d) Approving an increase in the Predevelopment Loan for a total amount of \$625,000.

Council District 7. (Housing)

**Resolution No. 70379 adopted.**

### **4.4 Approval of various fiscal actions and award of contract for the Street Lights Monterey Pedestrian Project.**

**Recommendation:**

- (a) Report on bids and award of contract for the Street Lights Monterey Pedestrian Project to the lowest responsive bidder, Tennyson Electric, Inc, in the amount of \$546,423, and approval of contingency in the amount of \$33,000. CEQA: Exempt. (Public Works)

**Approved. Noes: LeZotte.**

- (b) Adoption of appropriation ordinance and funding sources resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for the Monterey Pedestrian Street Lights Project with a net impact to the fund of \$628,000. (City Manager's Office)  
(Deferred from 5/22/01 – Item 4.2)

**Ordinance No. 26400 adopted. Noes: LeZotte.**

**Resolution No. 70380 adopted. Noes: LeZotte.**

### **4.5 Approval of various actions relating to the Almaden Senior Apartments Project.**

**Recommendation:** Adoption of a resolution approving a fund reservation of up to \$3,757,000 to Simpson Housing Solutions L.L.C., or its designated partnership, for the development of the 66-unit Almaden Senior Apartments Project with units affordable to low- and very low-income households on a 1.3-acre site located on the west side of Almaden Road, approximately 100 feet southerly of Willow Glen Way. CEQA: ND.

Council District 6. (Housing)

(Rules Committee referral 5/23/01)

**Resolution No. 70381 adopted.**

## **5 RECREATION & CULTURAL SERVICES**

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

**No report.**

### **5.2 Approval of various fiscal actions relating to the Tuers-Capitol Golf Course.**

#### **Recommendation:**

- (a) Adoption of the following appropriation ordinance amendments in the General Fund:
  - (1) Increase the Tuers-Capitol Golf Course project appropriation by \$2,967,000.
  - (2) Reduce the Future Capital Projects Reserve by \$2,967,000.
- (b) Approval of an increase in the construction project contingency by \$675,000, from \$875,000 to \$1,550,000.
- (c) Adoption of a resolution authorizing the City Manager to negotiate and execute an amendment to the Grow-in Agreement with San José Golf, LLC, a California limited liability company, modifying the term of grow-in of the Tuers-Capitol Golf Course to commence on May 1, 2001, extending the agreement term for an additional eight (8) months to terminate on March 1, 2002, and increasing total compensation in an amount not to exceed \$2,513,000.
- (d) Adoption of a resolution authorizing the City Manager to negotiate and execute an amendment to the Operations and Maintenance Agreement with San José Golf, LLC regarding Rancho del Pueblo Golf Course to allow the Class A Golf Course Superintendent for the Tuers-Capitol Golf Course to also oversee maintenance of Rancho del Pueblo plus other related changes.

(Conventions, Arts and Entertainment)

(Rules Committee referral 5/23/01)

**Deferred to 6/5/01.**

## **6 TRANSPORTATION SERVICES**

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### **6.1 Traffic Calming Advisory Committee (Ad Hoc) Council Member Reed, Chair**

**No report.**

## 7 ENVIRONMENTAL & UTILITY SERVICES

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### 7.1 Public Hearing approving Commercial Solid Waste and Recyclables Collection Franchise and Franchise Agreement.

**Recommendation:** PUBLIC HEARING on approval of an ordinance granting a Commercial Solid Waste and Recyclables Collection Franchise and approval of a Commercial Solid Waste and Recyclables Collection Franchise Agreement with Smurfit-Stone Container Corporation dba Smurfit-Stone Recycling. (Environmental Services)  
[Deferred from 5/8/01 – Item 7.1(v)]

**Deferred to 6/5/01.**

## 8 AVIATION SERVICES

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### 8.1 Approval of an agreement and license with Air Canada.

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute an Airline Operating Agreement and License with Air Canada for the period July 1, 2001 through November 30, 2007, with projected annual revenue to the City of \$240,000. CEQA: Resolution No. 67380. (Airport)  
(Deferred from 5/22/01 – Item 8.1)

**Deferred to August, 2001, date to be determined, pending the signing by Air Canada of a Supplemental Cooperation Agreement regarding compliance with the City's curfew ordinance; and City Attorney's Office to report on curfew enforcement options available to the City.**

### 8.2 Approval to extend the lease agreement with Mexicana Airlines.

**Recommendation:** Approval of the sixth amendment to Operating Agreement and Terminal Building Lease with Compania Mexicana de Aviacion, S. A. de C.V. (Mexicana Airlines) extending the term from February 1, 2002 through November 30, 2007, and adding approximately 201 square feet of operations space, with projected annual revenue to the City of \$242,000. CEQA: Resolution No. 67380. (Airport)  
(Deferred from 5/8/01 – Item 2.3 and 5/22/01 – Item 2.2)

**Deferred to August, 2001, date to be determined, pending the signing by Mexicana Airlines of a Supplemental Cooperation Agreement regarding compliance with the City's curfew ordinance; and City Attorney's Office to report on curfew enforcement options available to the City.**

## 9 PUBLIC SAFETY SERVICES

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## **10 JOINT COUNCIL/REDEVELOPMENT AGENCY**

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**COUNCIL CONVENED THE REDEVELOPMENT AGENCY BOARD AT 2:32 P.M. TO CONSIDER ITEM 10.1 IN A JOINT SESSION**

### **10.1 Approval of an agreement with Provident Development, LLC.**

**Recommendation:**

(a) Adoption of a resolution by the City Council approving an Exchange Agreement between Provident Development, LLC. (Developer) and the City of San José to exchange real property to be owned by the Developer for real property owned by the City of San José in Edenvale; and,

**Resolution No. 70382 adopted.**

(b) Adoption of a resolution by the Agency Board to pay the Developer the difference in value of the land in an amount equal to \$254,000.

CEQA: Resolution No. 69699.

(Redevelopment Agency/City Manager's Office)

**Redevelopment Agency Resolution adopted.**

**COUNCIL ADJOURNED THE REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING AT 2:33 P.M.**

- **Closed Session Report**  
None.
- **Open Forum—To be heard jointly with Redevelopment Agency Public Discussion.**  
William J. Garbett spoke about the Neighborhood Clean-up program.
- **Adjournment**  
The Council of the City of San José adjourned at 2:37 p.m.