



# CITY COUNCIL AGENDA

**MAY 8, 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
    - Present - Council Members: Campos, Cortese, Dando, Diquisto, LeZotte, Reed, Shirakawa, Jr., Williams, Yeager; Gonzales
    - Absent - Council Members: Chavez (excused).
  - 1:37 p.m. - Regular Session, Council Chambers, City Hall
    - Present - Council Members: Campos, Cortese, Dando, Diquisto, LeZotte, Reed, Shirakawa, Jr., Williams, Yeager; Gonzales
    - Absent - Council Members: Chavez (excused).
  
- **Invocation (District 5)**
  - Pastor Matt Munoz, Mount Pleasant Christian Center, delivered the Invocation.
  
- **Pledge of Allegiance**
  - Mayor Gonzales led the Pledge of Allegiance.
  
- **Orders of the Day**
  - Approved.

## **1 CEREMONIAL ITEMS**

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- 1.1 Presentation of proclamations to History Museum of San José, Connie Young Yu, and Chinese Historical and Cultural Project for their efforts of preserving and sharing San José Chinese-American cultural heritage, and receipt of copies of Chinatown San José, USA by Connie Young Yu by the City Council. (History Museum of San José)
  - Mayor Gonzales was joined at the podium by David Crosson, President and CEO of History Museum of San José for presentation of proclamations to Connie Young Yu, author of Chinatown San José USA, and Chinese Historical and Cultural Project members, Lillian Gong-Guy and Gerrye Wong, founders, and Nicol Lea, current president, for their work in preserving the cultural heritage of the San José Chinese-American community.**

# 1 CEREMONIAL ITEMS

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- 1.2 Presentation of a Distinguished School Award to Rolling Hills Middle School will be accepted by Principal, Nancy Atkinson and Campbell Union School District Superintendent, Johanna Vandermolen. (LeZotte)

**Joining Mayor Gonzales at the podium was Council Member Linda LeZotte, for presentation of a Distinguished School Award to Rolling Hills Middle School. The award was accepted by Principal Nancy Atkinson and Johnna Vandermolen, Superintendent of the Campbell Union School District.**

- 1.3 Presentation of awards by CalFest, the Professional Festivals and Events Association of California and Nevada, to the City of San José Holiday Parade. (Parks, Recreation and Neighborhood Services)

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

- 1.4 Presentation of a commendation to Mr. Robert Porcari for his courage and heroic acts in trying to prevent a homicide in-progress on September 13, 1997, by calling the San Jose emergency call center, even at immediate risk to his own safety. (Yeager)  
(Rules Committee referral 5/2/01)

**Mayor Gonzales was joined by Council Members Ken Yeager and Dave Cortese for presentation of a commendation to Robert Porcari for heroic actions in efforts to prevent a homicide in progress in September of 1997.**

# 2 CONSENT CALENDAR

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- 2.1 **Approval of Minutes.**

**Recommendation:** Approval of City Council Minutes for:

- (a) Convocation – State of the City meeting of February 17, 2000
- (b) Convocation – State of the City meeting of February 1, 2001
- (c) Regular meeting of February 6, 2001
- (d) Regular meeting of February 13, 2001
- (e) Joint City Council/Redevelopment Agency/Financing Authority meeting of February 13, 2001

**Approved.**

- 2.2 **Final adoption of ordinance.**

**Recommendation:** Final adoption of ordinance:

- (a) ORD. NO. 26352 – Rezones certain real property situated at the southeast corner of East Julian and North 13<sup>th</sup> Streets. C 01-03-047

**Ordinance No. 26352 adopted.**

## 2 CONSENT CALENDAR

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### 2.3 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 to 5/22/01. Staff directed to report back with actions taken to address Mexicana Airlines' record of curfew violations.**

### 2.4 Approval of agreements for senior executive staff recruitments.

**Recommendation:**

(a) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Shannon Associates for senior executive staff recruitment, in an amount not to exceed \$120,000.

**Resolution No. 70328 adopted.**

(b) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Oldani Group, Inc. for senior executive staff recruitment, in an amount not to exceed \$120,000.

(City Manager's Office)

**Resolution No. 70329 adopted.**

### 2.5 Approval for the City Manager to travel.

**Recommendation:** Authorization for the City Manager to travel to attend the Partners for Livable Communities Creative Cities: Power for the New Economy and Board of Trustees Meetings Conference in Washington, D.C. from May 23 through May 24, 2001. (City Manager's Office)

**Approved.**

### 2.6 Acceptance of the 2001 Public Art Workplan First Quarter Report.

**Recommendation:** Acceptance of the 2001 Public Art Workplan First Quarter Report. (Conventions, Arts and Entertainment)

**Approved.**

### 2.7 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 #41, and authorization for the Director of General Services to execute the purchase orders. (General Services)

**Approved.**

## **2 CONSENT CALENDAR**

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### **2.8 Approval to purchase additional Police training weapons and ammunition.**

**Recommendation:** Approval of the option to purchase additional Police training weapons and ammunition from L. C. Action Police Supply, for a total cost of \$33,203, including tax, and authorization for the Director of General Services to execute the purchase order. (General Services)

**Approved.**

### **2.9 Approval to accept donations from the San José Public Library Foundation.**

**Recommendation:** Adoption of a resolution accepting donations from the San José Public Library Foundation, in an amount not to exceed \$199,000, for the period July 1, 2001 to June 30, 2002. (Library)

**Resolution No. 70330 adopted.**

### **2.10 Approval of the reorganization of territory designated as Alum Rock No. 14.**

**Recommendation:** Adoption of a resolution authorizing the reorganization of territory designated as Alum Rock No. 14, which involves the annexation to the City of San José of 0.51 acre of land, located on the north side of Alum Rock Avenue, approximately 150 feet easterly of Pala Avenue, and detachment of the same from the Central Fire Protection District, County Library Services Area No. 1, and County Lighting Services. CEQA: Exempt. Council District 5. (Planning, Building and Code Enforcement)

**Resolution No. 70331 adopted.**

### **2.11 Approval of the reorganization of territory designated as McKee No. 117.**

**Recommendation:** Adoption of a resolution authorizing the reorganization of territory designated as McKee No. 117 (an approved annexation), which involves 0.75 acre of land, located at the northwest corner of Kirk Avenue and Madeline Drive, and detachment of the same from the County Lighting District, and reaffirms the approval of the reorganization of this territory as set forth in Resolution No. 69238, adopted by the City Council on December 7, 1999. CEQA: Exempt. Council District 5. (Planning, Building and Code Enforcement)

**Resolution No. 70332 adopted.**

### **2.12 Approval of fiscal actions for P.O.S.T.-reimbursed Training Programs.**

**Recommendation:** Adoption of amendments to the annual appropriation ordinance and funding sources resolution in the General Fund for expenses related to P.O.S.T.-reimbursed Training Programs, in the amount of \$36,398. (Police/City Manager's Office)

**Ordinance No. 26358 adopted.**

**Resolution No. 70333 adopted.**

## 2 CONSENT CALENDAR

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**2.13 Approval of intention to vacate a portion of Skyway Drive and to set a public hearing.**

**Recommendation:** Adoption of a resolution of intention to vacate a portion of Skyway Drive north of Houndshaven Way and setting a public hearing on June 5, 2001 at 1:30 p.m. CEQA: Resolution No. 65245. Council District 2. (Public Works)

**Deferred to 5/15/01.**

**2.14 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 to 5/15/01.**

**2.15 Approval of a contract for the Willow Street Sanitary Pump Station and Force Main Project.**

**Recommendation:** Report on bids and award of contract for the Willow Street Sanitary Pump Station and Force Main (MRP 97-6) Project to the low bidder, Reggie Hughley Excavating, Inc., in the amount of \$284,915, and approval of a contingency in the amount of \$28,500. CEQA: Exempt. Council District 6. (Public Works)

**Approved.**

**2.16 Approval to increase compensation for the construction of Silicon Valley Boulevard Bridge Phase II Project.**

**Recommendation:** Approval of Contract Change Order No. 11 with RGW Construction, Inc., for the construction of Silicon Valley Boulevard Bridge Phase II Project, in the amount of \$56,013.23, for a total contract amount of \$2,029,073.96, and no change in the contract term. CEQA: Resolution No. 65660. Council District 2. (Public Works)

**Approved.**

**2.17 Approval of a contract for the West Virginia Street Alley Improvement Project.**

**Recommendation:** Report on bids and award of contract for the West Virginia Street Alley Improvement, a CDBG funded project, to the low bidder, Grade Tech Inc., in the amount of \$135,940, and approval of a contingency in the amount of \$14,000. CEQA: Exempt. Council District 3. (Public Works)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.18 Approval of an exception to the City Street Light Policy for the Hensley District Pedestrian Streetlight Project.

**Recommendation:** Adoption of a resolution approving an exception to the City Street Light Policy #4-2 to allow the use of high-pressure sodium (HPS) lighting for the Hensley Historic District Pedestrian Streetlight Project within the boundaries of North Second, East Empire, North Sixth, and East Julian Streets. CEQA: Exempt. Council District 3. (Public Works)

**Council approved the exception to the City Street Lighting Policy #4-2, contingent upon written concurrence from Lick Observatory.  
Resolution No. 70334 adopted.**

### 2.19 Approval of an agreement for the San José McEnery Convention Center Sound System Renovation Project.

**Recommendation:** Approval of an agreement with Sound Technology Consultants, Inc., for consultant services including design engineering and construction support for the San José McEnery Convention Center Sound System Renovation Project, for the period April 2, 2001 to September 30, 2003, in the amount of \$184,000. (Public Works)

**Approved.**

### 2.20 Acceptance of the San José Arena Authority Ticket Distribution Program Report.

**Recommendation:** Acceptance of the First Quarter 2001 San José Arena Authority Ticket Distribution Program Report. (San José Arena Authority)

**Approved.**

### 2.21 Approval of the final map for Tract No. 9276.

**Recommendation:** TRACT NO. 9276 - North side of Tradewinds Drive, approximately 620 feet east of Snell Avenue - Tradewinds Associates, LLC; A California Limited Liability Company (Developer) - one lot Condominium Map, containing 24 units, single-family attached residential units. Adoption of a resolution approving the final map for Tract No. 9276. CEQA: Negative Declaration. Council District 2. (Public Works)

**Resolution No. 70335 adopted.**

## 3 STRATEGIC SUPPORT SERVICES

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

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – April 25, 2001

##### Vice Mayor Shirakawa, Jr., Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
  - (1) Review May 8, 2001 Draft Agenda  
**The Committee approved the May 8, 2001 Redevelopment Agency Agenda.**
  - (2) Add New Items to May 1, 2001 Amended Agenda  
**The Committee recommended five additions to the May 1, 2001 City Council Agenda.**
- (c) City Council Committees
  - (1) Amendments to Council Committee Agendas
    - (a) Finance and Infrastructure Committee  
**None filed.**
    - (b) Economic Development and Environment Committee  
**None filed.**
    - (c) Education, Neighborhoods, Youth, and Seniors Committee  
**The Committee referred an item from the City Attorney to the May 21, 2001 Education, Neighborhoods, Youth and Seniors Committee meeting regarding “amending the Municipal Code definition of blighted property to add inadequately maintained landscaping for two-family and multiple-family dwellings and to make other clarifying changes and updates to the definition of blighted property.”**
    - (d) Ad Hoc Traffic Calming Advisory Committee  
**None filed.**
- (d) Meeting Schedules  
**The Committee recommended approval for a General Plan Hearing on May 15, 2001 at 7:00 p.m. to hear a proposed amendment for a 2.7-acre site located at the southeast corner of Fruitvale Avenue and Southwest Expressway.**
- (e) The Public Record  
**The Committee noted and filed the Public Record.**
- (f) Boards, Commissions and Committees  
**None filed.**

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### 3 STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – April 25, 2001

**Vice Mayor Shirakawa, Jr., Chair**

(g) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee  
**None filed.**

(h) Administrative Reviews and Approval  
**None presented.**

(i) Oral communications  
**None presented.**

(j) Adjournment  
**The meeting was adjourned at 2:10 p.m.**

**Rules Committee report and actions of April 25, 2001 accepted.**

#### 3.3 Report of the Finance and Infrastructure Committee – April 25, 2001

**Council Member Dando, Chair**

(a) Monthly Financial Statement for March 2001

(b) Capital Cost Report for March 2001

(c) Cash Flow Projection

(d) Tax Increment Forecast

**Items (a) through (d) heard by the Redevelopment Agency.**

(e) March Monthly Report  
**The Committee accepted the Staff report with the direction that Staff attempt to adjust the Budget Hearing and Finance & Infrastructure Committee schedules to accommodate the timeline for the Watershed Protection Division-Source Control Audit.**

(f) An Audit of the City of San José Fire Department Overtime Expenditures  
**The Committee accepted the Staff report.**

(g) Financing Schedule for Issuance of General Obligation Bonds for Parks and Libraries  
**The Committee accepted the Staff report.**

(h) Oral petitions  
**None presented.**

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### **3 STRATEGIC SUPPORT SERVICES**

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**3.3 Report of the Finance and Infrastructure Committee – April 25, 2001  
Council Member Dando, Chair**

- (i) Adjournment  
The meeting was adjourned at 5:00 p.m.

**Finance & Infrastructure Committee report and actions of April 25, 2001 accepted.**

**3.4 Report of the Council Salary Setting Commission.**

**Recommendation:**

- (a) Approval of Council Salary Setting Commission Report for the period July 1, 2001 through June 30, 2003. (City Clerk)  
(b) Approval of an ordinance setting Mayor and Council Member salaries. (City Attorney's Office)

HEARD IMMEDIATELY FOLLOWING ITEM 8.2

**The Council Salary Setting Commission's report dated April 11, 2001 and Recommendations 1 through 4 were accepted and Recommendation 4 was referred to the Rules Committee. Noes: Gonzales, Shirakawa, Jr., Williams and Yeager on the recommended increase for Council Members.**

**Ordinance No. 26384 passed for publication.**

**3.5 Number not used.**

**3.6 Approval of Memorandum of Agreement terms with the International Union of Operating Engineers, Local No. 3.**

**Recommendation:** Adoption of a resolution approving the terms of a Memorandum of Agreement between the City of San José and the International Union of Operating Engineers, Local No. 3, subject to ratification and authorizing the City Manager to execute the agreement with a term of May 3, 2001 through April 16, 2004. (City Manager's Office)

(Orders of the Day)

**Resolution No. 70336 adopted.**

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

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**4.1 Report of the Economic Development & Environment Committee  
Council Member Williams, Chair**

No report.

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

### **4.2 Final hearing and approval of the Consolidated Annual Action Plan for 2001-2002.**

**Recommendation:**

- (a) Approval of the 2001-2002 Federal Consolidated Annual Action Plan, as amended.
- (b) Authorization for the Director of Housing to submit the approved document with the required certifications and other related documents to the US Department of Housing and Urban Development no later than May 15, 2001.
- (c) Approval of the Community Development Block Grant Steering Committee's recommendation on funding in the Contractual Community Services and Community Development Improvement categories of the CDBG program as outlined in the Consolidated Plan.
- (d) Approval of staff's recommendation for the allocation of funds for the Housing Opportunities for People with AIDS (HOPWA) Program, the HOME Program, and the Emergency Shelter Grant (ESG) Program.
- (e) Authorization for the Director of Housing to execute all documents on behalf of the City for the HOME, ESG, and HOPWA Programs; and
- (f) Authorization for the Director of Parks, Recreation and Neighborhood Services to execute all documents on behalf of the City for the CDBG Program.

(Housing/Parks, Recreation and Neighborhood Services)

**Council approved Staff recommendations dated April 18, 2001, and the recommendations dated 5/8/01 from Mayor Gonzales, Vice Mayor Shirakawa, Jr., and Council Members Campos, Cortese and Reed. Staff was directed to review the housing issues of rental assistance, unjust evictions, and ways of addressing impediments to fair housing, and review the feasibility of additional housing assistance programs for public employees.**

### **4.3 Approval of a Beverage Service Business Window Tinting Ordinance.**

**Recommendation:** Approval of an ordinance to regulate window tinting for businesses whose primary activity involves the service of non-alcoholic beverages for on-site consumption. (Planning, Building, and Code Enforcement/Police)

(Rules Committee referral 5/2/01)

**Staff was directed to report back on the ordinance's effectiveness in accomplishing the established goals.**

**Ordinance No. 26359 passed for publication.**

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

### **4.4 Approval of various actions to establish Proposed Maintenance Districts 19 and 20.**

**Recommendation:** Approval of the following actions to establish Proposed Maintenance District 19 (River Oaks Area Landscaping), and Proposed Maintenance District 20 (Renaissance - North First Landscaping):

- (a) Adoption of resolutions preliminarily approving the Engineer's Reports.
- (b) Set public meetings to be held on June 19, 2001 at 7:00 p.m.
- (c) Set public hearings and tabulation of property owner ballots for June 26, 2001 at 1:30 p.m.
- (d) Direct that the ballots and notices of said meetings and hearings be mailed to the property owners in the proposed districts.

Council District 3. (Public Works)  
(Rules Committee referral 5/2/01)

**Council Member Reed noted that both proposed Maintenance District 19 and 20 are located in Council District 4. Staff directed to notify Council of the time and locations of community meetings.**

**Resolution Nos. 70337-70338 adopted.**

### **4.5 Approval of various actions to modify and reauthorize Maintenance Districts 4, 9, and 11.**

**Recommendation:** Approval of the following actions to modify and reauthorize Maintenance District 4 (Gateway Place - Airport Parkway), Maintenance District 9 (Santa Teresa - Great Oaks), and Maintenance District 11 (Brokaw Road from Junction to Old Oakland):

- (a) Adoption of resolutions preliminarily approving the Engineer's Reports.
- (b) Set public meetings to be held on June 19, 2001 at 7:00 p.m.
- (c) Set public hearings and tabulation of property owner ballots for June 26, 2001 at 1:30 p.m.
- (d) Direct that the ballots and notices of said meetings and hearings be mailed to the property owners in the proposed districts.

Council Districts 2, 3, and 4. (Public Works)  
(Rules Committee referral 5/2/01)

**Staff directed to notify Council of the time and locations of community meetings.**

**Resolution No. 70339-70341 adopted.**

## 4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

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### 4.6 Public Hearing on a planned development rezoning on North First Street.

**Recommendation:** PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on the east side of North First Street, 250 feet southerly of Burton Avenue, from CN Neighborhood Commercial Zoning District to A(PD) Planned Development Zoning District, to allow a reduction in parking requirements for existing restaurant uses on 0.36 gross acres. (Cortese, Owner; Tafreshi, Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (7-0-0).

PDC 01-02-013 - District 3

(Continued from 4/3/01 – Item 11.7 and 4/17/01 – Item 11.4)

**Continued to Evening of 5/15/01.**

## 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.

## 6 TRANSPORTATION SERVICES

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### 6.1 Traffic Calming Advisory Committee (Ad Hoc) – April 26, 2001 Council Member Reed, Chair

- (a) Report on Potential Speed Enforcement Legislation  
**The Committee accepted the Staff report and recommended moving forward with legislative change.**
- (b) Report on Pedestrian Design Standards  
**The Committee accepted the Staff report.**
- (c) Update on Crosswalk Guidelines  
**The Committee agreed to a one-year trial period for the guidelines, provided the Committee's recommended changes are made, and recommended forwarding the guidelines to Council.**
- (d) Update on Bike Lane Installation Guidelines  
**The Committee accepted the Staff report.**

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## 6.1 TRANSPORTATION SERVICES

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### 6.1 Traffic Calming Advisory Committee (Ad Hoc) – April 26, 2001 Council Member Reed, Chair

- (e) Review of Work Plan Progress  
**The Committee approved the report and agreed to the following modifications:**
  - (1) **Cancel the May 24 meeting and move agenda item to May 10**
  - (2) **Discuss Draft Traffic Calming policy at June 14 meeting**
  - (3) **ADD review of NASCOP policy to June 14 agenda**
  
- (f) Oral petitions  
**None.**
  
- (g) Adjournment  
**The Committee adjourned at 4:05 p.m.**

**Traffic Calming Advisory Committee report and actions of April 26, 2001, with the changes to the Crosswalk Guidelines recommended by the Traffic Calming Advisory Committee, were accepted; and the memorandum dated May 4, 2001, from Council Member Reed with the revised Crosswalk Guidelines, was approved, and Staff was directed to bring the guidelines to Council, through the Bicycle Pedestrian Advisory Council, in one year.**

## 7 ENVIRONMENTAL & UTILITY SERVICES

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### 7.1 Public Hearings approving Commercial Solid Waste and Recyclables Collection Franchises and Franchise Agreements.

**Recommendation:** PUBLIC HEARINGS on approval of ordinances granting Commercial Solid Waste and Recyclables Collection Franchises and approval of Commercial Solid Waste and Recyclables Collection Franchise Agreements with:

- (a) AAA Express Roll-Off  
**Ordinance No. 26360 passed for publication.**
  
- (b) Butterick Enterprises, Inc. dba B&B Roll-Off Service  
**Ordinance No. 26361 passed for publication.**
  
- (c) BFI Waste Services of North America, Inc., a Delaware Corporation.  
**Ordinance No. 26362 passed for publication.**
  
- (d) Custom Disposal Service  
**Ordinance No. 26363 passed for publication.**

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## **7 ENVIRONMENTAL & UTILITY SERVICES**

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### **7.1 Public Hearings approving Commercial Solid Waste and Recyclables Collection Franchises and Franchise Agreements.**

- (e) Diversified Recycling Services, Inc. dba San Jose Recycling II  
**Ordinance No. 26364 passed for publication.**
- (f) E.M.S., L.L.C.  
**Ordinance No. 26365 passed for publication.**
- (g) Green Valley Disposal Company, Inc.  
**Ordinance No. 26366 passed for publication.**
- (h) Green Waste Recovery, Inc.  
**Ordinance No. 26367 passed for publication.**
- (i) Green Waste Recovery, Inc. dba \$99 Debris Box  
**Ordinance No. 26368 passed for publication.**
- (j) Grifall Trucking, Inc.  
**Ordinance No. 26369 passed for publication.**
- (k) Green Team of San Jose dba GT Waste Services  
**Ordinance No. 26370 passed for publication.**
- (l) JHM Services, Inc.  
**Ordinance No. 26371 passed for publication.**
- (m) Jonna Corporation dba Premier Recycle  
**Ordinance No. 26372 passed for publication.**
- (n) Julie Coleman Enterprises, Inc. dba Pacific Rim Recycling  
**Ordinance No. 26373 passed for publication.**
- (o) Phillip A. Ingram dba Coast Dumpster Service  
**Ordinance No. 26374 passed for publication.**
- (p) Los Altos Garbage Company dba Stevens Creek Disposal & Recycling  
**Ordinance No. 26375 passed for publication.**
- (q) Mission Trails Waste Systems dba Recycle West  
**Ordinance No. 26376 passed for publication.**
- (r) Number "1" Disposal  
**Ordinance No. 26377 passed for publication.**

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## **7 ENVIRONMENTAL & UTILITY SERVICES**

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### **7.1 Public Hearings approving Commercial Solid Waste and Recyclables Collection Franchises and Franchise Agreements.**

- (s) Panther Industries  
**Ordinance No. 26378 passed for publication.**
  
- (t) Newark Group, Inc. dba Recycled Fibers  
**Ordinance No. 26379 passed for publication.**
  
- (u) Recycling Systems  
**Ordinance No. 26380 passed for publication.**
  
- (w) The Flea Market, Inc.  
**Ordinance No. 26381 passed for publication.**
  
- (x) USA Waste of California dba Hollister Disposal  
**Ordinance No. 26382 passed for publication.**
  
- (y) Waste Management of California, Inc. dba Waste Management of Santa Clara County  
**Ordinance No. 26383 passed for publication.**

**Commercial Solid Waste and Recyclables Collection Franchise Agreements with the above named entities were approved and Ordinance Nos. 26360- 26383 were passed for publication.**

- (v) Smurfit-Stone Container Corporation dba Smurfit-Stone Recycling  
CEQA: Negative Declaration. (Environmental Services)  
**7.1(v) continued to 5/29/01.**

### **7.2 Approval of agreements for the reduction of energy (electrical) consumption.**

**Recommendation:** Adoption of a resolution authorizing the Director of General Services to execute the following agreements for reduction of energy (electrical) consumption:

- (a) A Participation Agreement with Global Energy Partners LLC; and
- (b) A Demand Relief Agreement with Infotility.  
(General Services)

**Dropped – Staff was directed to forward an information memo regarding the reasons this item was dropped from the agenda.**

## **7 ENVIRONMENTAL & UTILITY SERVICES**

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### **7.3 Resolution regarding preservation of the Coyote Valley greenbelt.**

**Recommendation:** Adoption of a resolution to reaffirm the City's commitment to the preservation of the Coyote Valley greenbelt. (Mayor)

**Deferred to 5/15/01.**

### **7.4 Approval of various actions related to the release of two energy Requests for Qualifications.**

**Recommendation:**

- (a) Approve the listing of preferred sites for energy generation that would be included in the Request for Qualifications.
- (b) Direct the City Manager to release two Requests for Qualifications; one related to renewable energy resources and the second to stationary peaker plants and conventional fuels.
- (c) Authorize the City Manager to negotiate land lease agreements with energy companies to construct and operate transportable peaking power plants for the summer of 2001. To accomplish this, institute a limited suspension of City Council Policy Number 6-16 "Uses of Public Property" only as it applies to the installation of transportable peaking power plants for the summer of 2001 to be identified in the future.

(Environmental Services)

(Rules Committee referral 5/2/01)

THIS ITEM HEARD LAST

**Approved – Staff was directed to consider Council comments pertaining to the following issues:**

- **Siting the generation facility proposed for the Water Pollution Control Plant either on the plant site or on the side away from Alviso;**
- **Avoiding the use of diesel energy generation;**
- **Reviewing the availability of rebate grants from PG&E;**
- **Including outreach in the Request for Quotation;**
- **Review the feasibility of using portable units to power public facilities; and**
- **Providing Council with information on the environmental impacts of peakers.**

## **8 AVIATION SERVICES**

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### **8.1 Approval to issue a Request for Proposals for Taxicab Services at San José International Airport.**

**Recommendation:** Approval of report on staff's intent to issue Request for Proposals for Taxicab Services at San José International Airport. (Airport)

**Deferred to 5/15/01.**

### **8.2 Approval of an agreement for master architectural services at the San José International Airport.**

**Recommendation:** Approval of a first amendment to the agreement with M. Arthur Gensler, Jr. & Associates for master architectural services, increasing compensation by \$5.0 million, from \$4.5 million to \$9.5 million. CEQA: Resolution No. 67380. (Airport)

**Approved.**

## **9 PUBLIC SAFETY SERVICES**

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

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- **Closed Session Report**  
**None.**
- **Open Forum—To be heard jointly with Redevelopment Agency Public Discussion.**  
**None presented.**
- **Adjournment**  
**The Council of the City of San José adjourned at 5:45 p.m.**