



CITY COUNCIL AGENDA

JUNE 19, 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

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.

7:00 p.m. - Public Hearings, Council Chambers, City Hall
Absent: Council Members – None.

- **Invocation**
Under the direction of their conductor, The Voices for Diversity Singers presented songs reminiscent of life in the Islands and in Africa. (District 6)

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

- **Orders of the Day**
Approved with two additions: Item 7.3 deferred to 06/26/01.
Item 2.28 – Dropped.

1 CEREMONIAL ITEMS

- 1.1** Presentation of commendations to Graystone, Los Alamitos, and Simonds schools in District 10 for being selected as National Blue Ribbon Schools of Excellence, one of public education's highest honors. (Dando)
This Item Heard in the Evening.
Joining Mayor Gonzalez at the Podium were Council Member Dando and representatives of the award-winning schools. Mayor Gonzales presented the commendations and congratulated them for receiving public education's highest honors.

1 CEREMONIAL ITEMS

- 1.2 Presentation of plaques to Timothy Eng for 2 years 2 months service on the Youth Commission; and to Danielle Boulé for 1 year 8 months service on the Youth Commission; and to Jennifer Leung for 1 year nine months service on the Youth Commission. (Mayor)

Mayor Gonzales presented plaques to Timothy Eng and Jennifer Leung with Council's appreciation for their service to the City of San José. Plaque for Danielle Boule will be mailed, as the honoree was unable to attend the meeting.

- 1.3 Presentation of a commendation to the Manzo Family for their commitment to Stipe Elementary School and the Great Oaks neighborhood. (Williams)

This Item Heard in the Evening.

Joining Mayor Gonzales at the Podium were Council Member Williams and Jamie and Maria Manzo who were presented commendations for their commitment to the beautification of their neighborhood.

- 1.4 Presentation of plaques to Mayor and Council by South Bay In Defense of Animals and Dedicated Animal Right Educators Inc. recognizing their work to protect animals. (Mayor)

(Rules Committee referral 6/13/01)

This Item Heard in the Evening.

Joining Mayor Gonzales at the Podium were animal rights advocates who expressed appreciation to the City Council for approving an ordinance prohibiting the sale of live animals at Flea Markets, and presented plaques to Mayor Gonzales and Acting Deputy Director Steve Emslie.

2 CONSENT CALENDAR

- 2.1 **Approval of Minutes.**

Recommendation: Approval of City Council Minutes for:

- (a) Regular meeting of March 27, 2001

Approved.

- 2.2 **Final adoption of ordinances.**

Recommendation: Final adoption of ordinances:

- (a) ORD. NO. 26404 – Grants a Commercial Solid Waste and Recyclables Collection Franchise to Smurfit-Stone Container Corporations dba Smurfit-Stone Recycling.

Ordinance No. 26404 adopted.

2 CONSENT CALENDAR

2.2 Final adoption of ordinances.

- (b) ORD. NO. 26405 - Rezones certain real property situated at the northwest corner of Locust Avenue and Edwards Street.
PDC 01-04-051
Ordinance No. 26405 adopted.

- (c) ORD. NO. 26406 – Rezones certain real property situated on the northeasterly corner of Rue Ferrari and Bernal Road.
DC 01-02-012
Ordinance No. 26406 adopted.

- (d) ORD. NO. 26407 – Rezones certain real property situated at the west side of North 7th Street, 250 feet northerly of East Taylor Street.
PDC 0101-007
Ordinance No. 26407 adopted.

- (e) ORD. NO. 26408 - Rezones certain real property situated at the south side of Alum Rock Avenue.
PDC 00-08-078
Ordinance No. 26408 adopted.

- (f) ORD. NO. 26409 - Rezones certain real property situated at the southwest corner of Coleman Avenue and West Hedding Street.
PDC 01-03-037
Ordinance No. 26409 adopted.

2.3 Approval of amendment to legal services agreement with Jones Hall to extend the term.

Recommendation: Adoption of a resolution authorizing the City Attorney to negotiate and execute a third amendment to the legal services agreement with Jones Hall related to the development of the North Coyote Valley Industrial Campus Area, extending the term through December 30, 2001, at no additional cost to the City.
(City Attorney's Office)

Resolution No. 70420 adopted.

2 CONSENT CALENDAR

2.4 Approval of City Manager's travel.

Recommendation: Approval of City Manager Del Borgsdorf's travel to Atlanta, Georgia, from July 23-25, 2001, to present at the US Competitive Cities Congress in a session entitled "Developing and Implementing a Smart Growth Plan."

(City Manager's Office)

Approved.

2.5 Approval of award of contract and additional funding for the Villages Reservoir Rehabilitation Project.

Recommendation: Report on bids and award of contract for the Villages Reservoir Rehabilitation Project to the low bidder, Robison-Prezioso, Inc., in the amount of \$359,100, and approval of a contingency in the amount of \$35,910. CEQA: Exempt. Council District 8. (Environmental Services)

Approved.

2.6 Approval of award of contract for the Grit Classifier Replacement and Emergency Shutoff Gas Valves Project.

Recommendation: Report on bids and approval of award of contract for the Water Pollution Control Plant's Grit Classifier Replacement and Emergency Shutoff Gas Valves Project to the low bidder, D.W. Nicholson Corporation, in an amount of \$196,780, and approval of a contingency in an amount of \$20,220. CEQA: Exempt.

(Environmental Services)

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

Approved.

2.8 Approval to award the purchase of a replacement Inductively-Coupled Plasma Spectrometer.

Recommendation: Report on bids and award of purchase of a replacement Inductively-Coupled Plasma Spectrometer, for the Water Pollution Control Plant, to the lowest responsive bidder, Perkins Elmer Instruments, for a total cost of \$104,733, including tax, and authorization for the Director of General Services to execute the purchase order.

(General Services)

Approved.

2 CONSENT CALENDAR

2.9 Approval to award the purchase of traffic signal control equipment.

Recommendation: Report on bids and award the purchase of traffic signal control equipment for the Department of Transportation to the low bidder, Advanced Traffic Products, Inc., at a total cost of \$98,220.60, including tax, and authorization for the Director of General Services to execute the purchase order. (General Services)

Approved.

2.10 Approval to amend the agreement for park restroom maintenance services.

Recommendation: Adoption of a resolution authorizing the Director of General Services to execute an amendment to the agreement with Master Cleaning System, Inc. for park restroom maintenance, extending the contract through December 31, 2001, at a monthly cost of \$20,000, and increasing maximum compensation by \$140,000, from \$367,943.46 to a total agreement amount not to exceed \$507,943.46. (General Services)

Resolution No. 70421 adopted.

2.11 Approval of an agreement for a Computerized Maintenance Management System.

Recommendation: Adoption of a resolution authorizing the Director of General Services to negotiate and execute an agreement with DataStream for the purchase, installation, and training for a Computerized Maintenance Management System in the amount of \$400,170. (General Services)

Resolution No. 70422 adopted.

Council directed Staff to report back to Council, after installation of the equipment, on the performance of the System.

2.12 Approval to accept a donation of network equipment from the San José Public Library Foundation.

Recommendation: Adoption of a resolution accepting an in-kind donation of Cisco Systems network equipment, with a stated value of \$317,642, from the San José Public Library Foundation to the San José Public Library. (Library)

Resolution No. 70423 adopted.

2.13 Approval to amend the agreement with the Grace Baptist Church to lease the Church's property for a community center.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an amendment to the agreement with the Grace Baptist Church to lease the Church's property for use as a community center at 484 East San Fernando Street and 146 South Tenth Street, for the period of June 1, 1999 through June 30, 2002, increasing the amount by \$165,000, for a total amount of rent not to exceed \$748,667. Council District 3. (Parks, Recreation and Neighborhood Services)

Resolution No. 70424 adopted.

2 CONSENT CALENDAR

2.14 Approval to extend the agreement for the purchase of a Police Automated Information System.

Recommendation: Adoption of a resolution authorizing the City Manager to execute a third amendment to the agreement with TRW, Inc., for the purchase and installation of a Police Automated Information System, extending the term of the agreement from June 30, 2001 to December 31, 2001, at no additional cost to the City. (Police)

Resolution No. 70425 adopted.

2.15 Approval of intention to vacate a portion of a public service easement on Fleming Avenue.

Recommendation: Adoption of a resolution of intention to vacate a portion of the public service easement on Lots 1 and 5 of Tract No. 9257 on Fleming Avenue across Mahoney Avenue and setting a public hearing on August 7, 2001 at 1:30 p.m. CEQA: ND.

Council District 5. (Public Works)

Resolution No. 70426 adopted.

2.16 Approval to amend the agreement for consultant services for the Penitencia Creek Park Chain Reach 2 Master Plan Project.

Recommendation: Approval of the first amendment to the agreement with Amphion Environmental, Inc., for consultant services for the Penitencia Creek Park Chain Reach 2 Master Plan Project, to extend the agreement term from September 21, 2001 to March 21, 2002, and increasing total compensation by \$25,000, for a total agreement amount of \$128,300. Council District 4. (Public Works)

Approved.

2.17 Approval to reject all bids and re-advertise for the Brigadoon Park Renovation Project.

Recommendation: Approval to reject all bids for the Brigadoon Park Renovation Project, and authorization for the Director of Public Works to re-advertise and re-bid the project. CEQA: Exempt. Council District 8. (Public Works)

Deferred to 06/26/01.

Council directed Staff to clarify ambiguities related to project specification requirements for the submission of test results.

2.18 Approval of award of contract for the Brooktree Park Tot/Youth Lot Project.

Recommendation: Report on bids and award of contract for the Brooktree Park Tot/Youth Lot Project to the low bidder, Robert A. Bothman, Inc., to include the base bid and Add Alternate No. 1 in the amount of \$203,135, and approval of a contingency in the amount of \$21,000. CEQA: Exempt. Council District 4. (Public Works)

Approved.

2 CONSENT CALENDAR

2.19 Approval of award of contract to install street lights in the 2001 Mayfair Project.

Recommendation: Report on bids and award of contract for the Street Lights Mayfair 2001 Project to the low bidder, Pacific Electric Company, in the amount of \$190,000, and approval of a contingency in the amount of \$19,000. CEQA: Exempt. Council District 5. (Public Works)

Approved.

2.20 Approval to amend the Implementation Agreement for the Transit Shelter Advertising Program.

Recommendation: Approval of the third amendment to add liquidated damages to the Implementation Agreement for the Transit Shelter Advertising Program with the Santa Clara County Transit District, also known as the Santa Clara Valley Transportation Authority, the County of Santa Clara, various cities in Santa Clara County, and Eller Media Company. CEQA: Exempt. (Public Works)

Approved.

2.21 Approval to award a contract for The Alameda-Billy DeFrank/Streetscape Improvements Project.

Recommendation: Report on bids and award of contract for The Alameda-Billy DeFrank/Streetscape Improvements Project to the low bidder Wattis Construction, in the amount of \$87,355 and approval of a contingency in the amount of \$18,000. CEQA: Exempt. Council District 6. (Public Works)

Approved.

2.22 Approval to award a contract for the Muni Water/Tuers Yard Building B Modification Project.

Recommendation: Report on bids and award of contract for the Muni Water/Tuers Yard Building B Modification Project to the low bidder, Tucker Construction, Inc., in the amount of \$288,400, and approval of a contingency in the amount of \$30,000. CEQA: Exempt. Council District 7. (Public Works)

Approved.

2.23 Approval of a continuation agreement for the Alviso Ring Levee Wetland Mitigation Project.

Recommendation: Approval of a continuation agreement for consultant services for the Alviso Ring Levee Wetland Mitigation Project with URS Corporation Americas, extending the term from May 1, 2000 to December 31, 2002, and increasing the amount of compensation by \$21,000, for a total agreement amount not to exceed \$320,000. Council District 4. (Public Works)

Approved.

2 CONSENT CALENDAR

2.24 Approval to award a contract for the construction of the Route 87 at Branham Lane Overcrossing Trail and Landscape Improvements Project.

Recommendation: Report on bids and award of contract for the construction of the Route 87 at Branham Lane Overcrossing Trail and Landscape Improvements Project to the low bidder, Bellicitti & Pellicciotti Construction Company, Inc. in the amount of \$112,485, and approval of a contingency in the amount of \$5,000. CEQA: Exempt. Council District 10. (Public Works)

Approved.

2.25 Approval of actions for proposed Maintenance District 19 (River Oaks Area Landscaping).

Recommendation: Direction to the City Clerk to complete and submit the assessment district ballots in favor of the assessment to be levied on City owned property by proposed Maintenance District 19 (River Oaks Area Landscaping) in the amount of \$261.44 for Fiscal Year 2001-02 and increased annually by the percent change in the CPI. Council District 4. (Public Works)

Approved.

2.26 Approval of the reorganization and annexation of territory designated as 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 from 5/29/01 – Item 2.12 and 6/12/01 – Item 2.26)

Resolution No. 70427 adopted.

2.27 Approval of City Manager's travel request.

Recommendation: Approval of the City Manager's travel request, from June 23 - 25, 2001, to attend the U.S. Conference of Mayors and, on behalf of the City of San José, accept the 3Com Urban Challenge Grant award, which is aimed at cities that are effectively using technology in education to help bridge the Digital Divide, in the amount of \$100,000. (City Manager's Office)
(Rules Committee referral 6/13/01)

Approved.

2 CONSENT CALENDAR

2.28 YWCA request for proof of authorization.

Recommendation: Approval of proof of authorization for the YWCA as required by the State of California's Office of Criminal Justice Planning. (Dando)
(Rules Committee referral 6/13/01)

Dropped.

2.29 Amendment of legal services agreements.

Recommendation: Adoption of a resolution authorizing the City Attorney to negotiate and execute:

- (a) The first amendment to the legal services agreement with Foley & Lardner (formerly Hopkins & Sutter) to increase the compensation by \$85,000, to a total amount not to exceed \$135,000; and
- (b) The first amendment to the legal services agreement with Orrick, Herrington & Sutcliffe to increase the compensation by \$50,000, to a total amount not to exceed \$100,000.

(City Attorney's Office)

(Rules Committee referral 6/13/01)

Resolution No. 70428 adopted.

2.30 One-time transfer from the Anti-Tobacco Master Settlement.

Recommendation: Approval of an ordinance authorizing a one-time transfer of \$442,510 from the Anti-Tobacco Master Settlement Agreement Revenue Fund's Anti-Tobacco Category to the Education Category for Cycle 2 (2001-2002) under Ordinance No. 26140. (City Attorney's Office)

(Rules Committee referral 6/13/01)

Ordinance No. 26412 passed for publication.

2.31 Approval to extend the City's 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 June 30, 2001 to September 30, 2001. (City Manager's Office/Fire)

(Rules Committee referral 6/13/01)

Resolution No. 70429 adopted.

2 CONSENT CALENDAR

2.32 Approval of a parkland agreement approving the plans, final map, contract, and water main extension for Tract No. 9359.

Recommendation: TRACT NO. 9359 - Stallion Way north of Aborn Road - Braddock and Logan II, L.P., a California Limited Partnership By: Braddock & Logan Services, Inc., a California Corporation, General Partner (Developer) - 30 single-family detached residential units. Approval of a parkland agreement and adoption of resolutions approving the plans, final map, contract, and water main extension for Tract No. 9359. CEQA: ND. Council District 7. (Public Works)

Parkland Agreement Approved.

Resolution Nos. 70430-70433 adopted.

END OF CONSENT CALENDAR

3 STRATEGIC SUPPORT SERVICES

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

3.2 Report of the Rules Committee – June 6, 2001 Vice Mayor Shirakawa, Jr., Chair

(a) Redevelopment Agency items reported out at Redevelopment Agency meeting
The Committee forwarded the items to the Redevelopment Agency Board for consideration.

(b) City Council

(1) Review June 19, 2001 Draft Agenda

The Committee approved the June 19, 2001 City Council Agenda with three additions and directed the Administration provide Members with additional information on Item 3.4, a public hearing on cable-related needs of the community, since Council has heard this issue previously.

(2) Add New Items to June 12, 2001 Amended Agenda

The Committee recommended four additions to the June 12, 2001 City Council Agenda.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – June 6, 2001 – (Cont'd.)

Vice Mayor Shirakawa, Jr., Chair

(c) City Council Committees

(1) Amendments to Council Committee Agendas

The Committee recommended approval to defer the approval of Council Committee workplans from June 13 to June 20, 2001 Rules Committee meeting.

(a) Finance and Infrastructure Committee

The Committee recommended the following changes to the June 13, 2001 Agenda: Add an item entitled, “Investment Committee Minutes for May 29, 2001 (Finance)”; bring forward an item deferred from 05/23/01 entitled, “General Airport Revenue Bonds, Series 2001A – Plan of Finance (Finance)”;

and defer to September 2001 an item entitled, “Annual Capital Project Program Status Report (Public Works).”

(b) Economic Development and Environment Committee

None Presented.

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

None Presented.

(d) Ad Hoc Traffic Calming Advisory Committee

The Committee recommended rewording of Item (b) on the June 14, 2001 Agenda, to read: “Informational Status Report on One-Way Couplet Policy”, and directed the Administration to provide Council Members with Traffic Calming meeting flyers and agendas for distribution to their constituents, and requested Staff expand the mailing list for receipt of Traffic Calming meeting notices.

(d) Meeting Schedules

The Committee recommended approval to schedule Council Policy Priority Setting Sessions on October 25 and 26, 2001, 8:00 a.m. – 12:00 p.m., in Council Chambers; and recommended approval to reschedule the Redevelopment Agency’s Mixed Use/Retail Study Session from June 7, 2001 to June 20, 2001, 8:00 a.m. – Noon.

(e) The Public Record

The Committee noted and filed the Public Record for the period May 23-29, 2001.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – June 6, 2001 – (Cont'd.)

Vice Mayor Shirakawa, Jr., Chair

(f) Boards, Commissions and Committees

The Committee directed the City Clerk to conduct a blind drawing for those Commissions with more than one vacancy and varying term ending dates, with the results of the draw noted in the Rules Committee Report. The Committee recommended the following appointments:

- (1) Advisory Commission on Rents
Appoint 1 neutral commissioner
The Committee directed the City Clerk to readvertise for a neutral representative.
- (2) Airport Commission
Appoint 2 commissioners
The Committee recommended appointment of Daniel Biesterveld and Rolayne Edwards to four-year terms ending June 30, 2005.
- (3) Arts Commission
Appoint 4 commissioners
The Committee recommended appointment of Richard Ajluni (Incumbent), Francis Czyz, Stephen McCray (Incumbent), and Desiree Reed to three-year terms ending June 30, 2004.
- (4) Child Care Commission
Appoint 5 commissioners
The Committee recommended appointment of Larry Hancock, Karen Naegeli, and Anthony Zambataro to four-year terms ending June 30, 2005 and Mark Christensen to an unexpired term ending June 30, 2004; and directed the City Clerk to readvertise for one vacant position.
- (5) CDBG Steering Committee
Appoint District 5 and District 7 representatives
The Committee directed the City Clerk to readvertise for District 5 and District 7 representatives.
- (6) Disability Advisory Commission
Appoint 4 commissioners
The Committee recommended extending the terms of Charlotte Howard (Incumbent) and Lila Kraai (Incumbent) until December 31, 2001 and appointed Thomas Matola to a four-year term ending June 30, 2005, and Sally McLeod to an unexpired term ending June 30, 2002.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – June 6, 2001 - (Cont.)

Vice Mayor Shirakawa, Jr., Chair

- (f) Boards, Commissions and Committees
 - (7) Disadvantaged Business Development Commission
Appoint 3 commissioners
The Committee directed the City Clerk to readvertise the three vacant positions.
 - (8) Historic Landmarks Commission
Appoint 3 commissioners
The Committee directed the City Clerk to readvertise the two vacant positions during the summer, with appointments to be made in August, 2001.
 - (9) Human Rights Commission
Appoint 2 commissioners
The Committee recommended appointment of Robert Sippel and Linda Starr to unexpired terms ending December 31, 2003.
 - (10) Library Commission
Appoint 4 commissioners
The Committee recommended appointment of Timothy Karas and John Ramos to four-year terms ending June 30, 2005 and Pia Moriarty to an unexpired term ending June 30, 2003.
 - (11) Mobile Home Advisory Commission
Appoint 1 neutral representative
The Committee directed the City Clerk to readvertise for neutral representative.
 - (12) Parks and Recreation Commission
Appoint 4 commissioners
The Committee recommended appointment of Patricia Eaton, Elisa Koff-Ginsborg and Peter Petersen to four-year terms ending June 30, 2005, and Helen Chapman to an unexpired term ending June 30, 2003.
 - (13) Senior Citizens Commission
Appoint 6 commissioners
The Committee recommended appointment of Chandra Agrawal, Gilbert Garcia, John Walter (Incumbent), and Regina Zamba (Incumbent) to four-year terms ending June 30, 2005; Fred Orillaneda (Incumbent) to an unexpired term ending June 30, 2002; and directed the City Clerk to readvertise one vacant position.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – June 6, 2001 - (Cont.)

Vice Mayor Shirakawa, Jr., Chair

(f) Boards, Commissions and Committees

(14) Traffic Appeals Commission

Appoint 3 commissioners

The Committee recommended appointment of Robin Biesterveld, Dale Osborn, and Emi Totschinger to four-year terms ending June 30, 2005.

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

(1) Request to refer to the Finance and Infrastructure Committee

consideration of connecting an audio feed for meetings in Room 204 to the City web site

The Committee referred to the Finance and Infrastructure Committee the consideration of connecting an audio feed for meetings in Room 204 to the City web site.

(h) Administrative Reviews and Approval

(1) 2001 Mid-Year Federal Legislative Report

The Committee recommended acceptance of the City's Washington, D.C. lobbyist's mid-year report on the status of federal legislation and the City's appropriation requests.

(2) Request by Council Member Dando to use Council General funds to attend League of California Cities meetings in Monterey, CA, July 25-29, 2001

The Committee recommended approval for Council Member Dando to use Council General Funds to attend the League of California Cities' meetings in Monterey, CA, July 25-29, 2001.

(i) Oral communications

William Garbett commented on quorum and evening agenda items.

(j) Adjournment

The meeting was adjourned at 3:15 p.m.

The Rules Committee Report and actions of June 6, 2001 accepted.

3 STRATEGIC SUPPORT SERVICES

3.3 Report of the Finance and Infrastructure Committee – June 13, 2001

Council Member Dando, Chair

(c) Convention Center Refunding

The Committee accepted the staff report.

See Joint City Council/San José Financing Authority/Redevelopment Agency Agenda Item 1.1 for action taken.

3.4 A public hearing to receive input on what services the community would like to see provided by the cable television operator under a new cable franchise and approval to amend the agreement for cable franchise consulting services.

Recommendation:

(a) (1) Conduct a Public Hearing to receive public and Council input on the future cable-related needs and interests of the community.

Public Hearing Held.

Public Testimony Presented by 15 Individuals.

(2) Accept draft reports entitled:

(a) City of San José, California Report on Cable-Related Needs and Interests and Operator Past Performance, and

(b) City of San José, California Request for Renewal Proposal for a Cable Television Franchise, including a draft franchise and model cable ordinance as attachments.

Council accepted the reports.

(3) Establish a deadline of July 13, 2001 for submission of written comments on these draft reports and the attachments.

(4) Direct staff to seek additional information from AT&T on these draft reports, where appropriate, in order to make a final recommendation to Council on these reports.

(5) Direct staff to review comments received on the draft reports, conduct any necessary further investigations to be able to respond to those comments, or to complete the ascertainment and return in August with final documents needed to close the ascertainment and to request renewal proposals for a cable television franchise to be presented to Council by October 19, 2001.

Council approved direction to staff with additional direction to return to Council in August 2001 with responses to Council's concerns, including the contract amounts for both the City and AT&T, and the distinctions; terms and conditions requested by AT&T; operating costs to the City for existing PEG System and what that would be under the structure recommended for approval by the City; additional costs and the responsible entities; educational components that meet the needs of School Districts; and identify the kind of issues that should be addressed in the negotiations with the provider.

3 STRATEGIC SUPPORT SERVICES

3.4 A public hearing to receive input on what services the community would like to see provided by the cable television operator under a new cable franchise and approval to amend the agreement for cable franchise consulting services – (Cont'd.)

- (b) Adoption of a resolution authorizing the City Manager to negotiate and execute a third amendment to an agreement with Miller & Van Eaton for cable franchise consulting services for an additional amount of \$350,000, for a total contract cost not to exceed \$696,000, and to extend the term of the consultant agreement to June 30, 2002.

(City Manager's Office)

This Item Heard in the Evening.

Resolution No. 70458 adopted. Noes: Diquisto.

3.5 Approval of various budget actions for Fiscal Year 2000-2001.

Recommendation:

- (a) Adoption of amendments to the annual appropriation ordinance and funding sources resolution for various operating funds to reflect estimated FY 2000-2001 revenue receipts, expenses, and encumbrances.

Ordinance No. 26413 adopted.

Resolution No. 70434 adopted.

- (b) (1) Adoption of amendments to the annual appropriation ordinance and funding sources resolution amendments for various Capital Funds to reflect estimated 2000-2001 available resources, changes in project expenditure estimates or schedules, technical adjustments, and the addition of new Capital projects;

Ordinance No. 26414 adopted.

Resolution No. 70435 adopted.

- (2) Adoption of a resolution making certain determinations regarding the expenditure of Redevelopment Agency funds on certain public improvements; and

Resolution No. 70436 adopted.

- (3) Approval of the establishment of a new Civic Center Parking Fund.
(City Manager's Office)

Approved.

3 STRATEGIC SUPPORT SERVICES

3.6 Approval of various budget actions for Fiscal Year 2001-2002.

Recommendation:

- (a) Adoption of a resolution approving the Fiscal Year 2001-2002 rates for Sewer Service and Use/Storm Sewer Service Charges.
Resolution No. 70437 adopted.

- (b) Adoption of the Annual Appropriation Ordinance, including transfers and loans for Fiscal Year 2001-2002 and the Manager's Final Budget Addenda No. 50.
Ordinance No. 26415 adopted.

- (c) Adoption of the Annual Funding Sources Resolution for Fiscal Year 2001-2002 and the Manager's Final Budget Addenda No. 50.
Resolution No. 70438 adopted.

- (d) Adoption of a resolution in compliance with Article XIII B of the Constitution of the State of California and as modified by Proposition 111 and SB 99 electing the population and inflation factors and establishing the Fiscal Year 2001-2002 Appropriation Limit.
Resolution No. 70439 adopted.

- (e) Adoption of a resolution repealing Parts 15, 16,17,18,19, and 23 of Resolution No. 59214, and amending Resolution No. 65466 to increase the quantity rates for potable water service by \$00.09 per 100 cubic feet for all customers of the Municipal Water System, effective July 1, 2001. (City Manager's Office/Environmental Services)
(City Manager's Office)
Resolution No. 70440 adopted.

3.7 Approval of various actions related to the New Civic Center design and approval of a Plan for Public Art for the New Civic Center.

Recommendation:

- (a) (1) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with The Steinberg Group to perform a physical assessment and feasibility reuse analysis of the existing Civic Center Complex, the Health Building and Parking Lots C and E, for a total agreement amount of \$248,000.
Resolution No. 70450 adopted.

- (2) Approval of the Savings By Design Owner Agreement with Pacific Gas and Electric Company.
CEQA: Resolution No. 68905. (Public Works)
Approved.

3 STRATEGIC SUPPORT SERVICES

3.7 Approval of various actions related to the New Civic Center design and approval of a Plan for Public Art for the New Civic Center – (Cont'd.)

- (b) Adoption of a resolution to accept a Plan for Public Art for the New Civic Center. CEQA: Exempt. (Conventions, Arts and Entertainment)
Resolution No. 70450.1 adopted.

3.8 Approval of ordinances related to the establishment of a medical benefits account fund, reimbursement of certain Medicare Part B payments to Police and Fire retirees and to provide a flat 3% cost-of-living adjustment for persons retired from the Police and Fire Department Retirement Plan and survivors.

Recommendation:

- (a) Approval of an ordinance amending Chapter 3.36 of the San José Municipal Code to establish a medical benefits account in the Police and Fire Department Retirement Fund and to provide for reimbursement of certain Medicare Part B payments made by Police and Fire retirees.
Ordinance No. 26416 passed for publication.

- (b) Approval of an ordinance amending Chapter 3.44 of the San José Municipal Code to provide a flat 3% cost-of-living adjustment effective February 1, 2002, for persons retired from the Police and Fire Department Retirement Plan and for survivors.

(Employee Relations)

Ordinance No. 26417 passed for publication.

3.9 Approval of a Council policy regarding the donation or sale of surplus City personal property.

Recommendation: Approval of a Council policy regarding the donation or sale of surplus City personal property. (General Services)

Approved.

3.10 Approval to extend the Citywide Hiring Pilot Program.

Recommendation: Adoption of an urgency ordinance providing for the extension of the hiring pilot Citywide, excluding only public safety promotional exams covered by Memorandum of Agreements, until March 31, 2002. (Human Resources)

Urgency Ordinance No. 26418 adopted.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.1 Report of the Economic Development & Environment Committee – June 4, 2001 Council Member Williams, Chair

(a) Status Report on Mayor’s Housing Production Team Referrals
The Committee accepted the status report.

(b) Recommendations on Green Building Program Guidelines
The Committee accepted the staff report and recommendations.

See Item 4.9 for Council Action Taken.

(c) Final Report on the CHAP Pilot Program and Recommendation for a Second CHAP Program
The Committee accepted the staff report.

See Item 4.10 For Council Action Taken.

(d) Third Quarter Downtown Housing Report
The Committee forwarded the staff report to Council for acceptance, due to a lack of quorum.

(e) Status Report on the Implementation of the 1999-2004 Five-Year Spending and Operations Plan for Affordable Housing (Housing)
The Committee forwarded the staff report to Council for acceptance, due to a lack of quorum.

(f) Oral petitions

(1) **Phyllis Ward, Affordable Housing Network, asked for the definition of a Historical Memo and asked what recommendations came out of the formation of the Downtown Strategy Group with regards to density and building height limitations.**

(2) **Amy Glad, Home Builders Association, requested consistence in the language of the first two Policy recommendations with the Green Building Program Guidelines report.**

(3) **Shiloh Ballard, Silicon Valley Manufacturing Group, acknowledged and commended Staff for taking the direction relative to the Green Building Program Guidelines.**

(4) **Saul Wachter, Affordable Housing Network, requested clarification on the Five-Year Housing Plan, specifically, which units would be addressing which economic level of future clients.**

(g) Adjournment

The meeting was adjourned at 3:45 p.m.

The Economic Development & Environment Committee Report and actions of June 4, 2001 accepted with Item 4.1(b) acted upon at Item 4.9, and Item 4.1(c) acted upon at Item 4.10.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.2 Restriction of the discing of vegetation on certain lands.

Recommendation: Approval of an ordinance of the City of San José amending Title 9 of the San José Municipal Code by adding a new Chapter 9.54 to restrict the discing of vegetation on certain lands. CEQA: Exempt. (Planning, Building, and Code Enforcement)

[Economic Development and Environment Committee referral 5/7/01 – Item 4.1(d)]
(Deferred from 5/22/01 – Item 4.11 and 6/5/01 – Item 4.2)

Ordinance No. 26419 passed for publication.

Council directed Staff to add the cost of implementing the Outreach Plan to notify private owners.

4.3 Approval of various fiscal actions for the Community Facilities District No. 6 (Great Oaks-Route 85).

Recommendation: Adoption of a resolution of the City Council:

- (a) Authorizing the issuance of special tax bonds in the aggregate principal amount of not to exceed \$15,210,000, to be sold at a competitive sale in connection with Community Facilities District No. 6 (Great Oaks-Route 85).
- (b) Approving the forms and authorizing the execution of the Fiscal Agent Agreement and certain other related financing documents, and directing and authorizing certain other related actions.
- (c) Approving the forms and approving the use of the Official Notice of Sale and the Official Statement in connection with the competitive sale of the bonds, and directing and authorizing certain other related actions.
- (d) Authorizing the City Manager to negotiate and execute an agreement to reimburse Equinix for the costs of right of way acquisition for the extension of Great Oaks Boulevard north of the intersection of Great Oaks Boulevard and State Route 85 in an amount not to exceed \$2,282,431.

CEQA: Resolution No. 69699. Council District 2. (Finance/Public Works)

Resolution No. 70441 adopted.

4.4 Approval of various actions for the Hidden Brooks Apartment Development.

Recommendation: TEFRA Hearing for the issuance of up to \$25,000,000 in tax-exempt multifamily housing revenue bonds by California Statewide Community Development Authority for the Hidden Brooks Apartments Development. Council District 3. (Finance/Housing)

Public Hearing Held.

No Public Testimony Presented.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.5 Approval of agreements for implementation of Neighborhood Revitalization Plans.

Recommendation: Adoption of a resolution:

- (a) Authorizing the City Manager to negotiate and execute three agreements with Resources for Families and Communities for the Implementation of Neighborhood Revitalization Plans for the period July 1, 2001 to June 30, 2004 for:
 - (1) Rockspring Advisory Board, in an amount not to exceed \$140,000;
 - (2) Edenvale/Great Oaks Coalition, in an amount not to exceed \$510,600; and
 - (3) East Dobern/Capitol-Goss Coalition, in an amount of \$177,000.
- (b) Authorizing the Director of Parks, Recreation and Neighborhood Services to approve reallocation of a portion of the totals mentioned above to new or different projects listed below by the Coalitions under the agreements:
 - (1) \$4,800 for Rockspring.
 - (2) \$393,704, of which \$280,000 has already been allocated for specific projects for Edenvale/Great Oaks.
 - (3) \$62,600 for East Dobern/Capitol-Goss.

CEQA: Resolution No. 65459. Council Districts 2, 5, and 7. (Parks, Recreation and Neighborhood Services)

Resolution No. 70442 adopted.

4.6 Approval to award a contract for the construction of the Coleman, Narvaez, and White Median Island Landscape Improvements Project.

Recommendation: Report on bids and award of contract for the construction of the Coleman, Narvaez, and White Median Island Landscape Improvements Project to the low bidder, Blossom Valley Construction Company, Inc., to include the base bid and Add Alternate Nos. 1 and 2 in the amount of \$1,201,015, and approval of a \$90,000 contingency. CEQA: Exempt. Council Districts 8 and 10. (Public Works)

Approved.

4.7 Approval of award of contract for the West San Carlos Sidewalk Replacement Project.

Recommendation: Report on bids and award of contract to the low bidder for the West San Carlos Sidewalk Replacement Project, and approval of a 10 percent contingency.

CEQA: Exempt. Council District 6. (Public Works)

Deferred to 06/26/01.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.8 Special Election and approval of various actions related to the Community Facilities District Nos. 5A and 5B (North Coyote Valley Facilities and Services).

Recommendation: Special Election and approval of actions relating to Community Facilities District No. 5A (North Coyote Valley Facilities) and Community Facilities District No. 5B (North Coyote Valley Services):

- (a) Receive results of election from City Clerk for the Special Election for CFD No. 5A (North Coyote Valley Facilities).

Results of tabulation by the City Clerk:

1,369 or 84.2% qualified landowner votes

Votes Cast: 1,153

96.4% voted in favor of the District, which meets the two-thirds voter approval requirement.

- (b) Adoption of a resolution declaring the results of the special election and directing the recording of the notice of the special tax lien for CFD No. 5A (North Coyote Valley Facilities).

Resolution No. 70443 adopted.

- (c) Adoption of an ordinance levying special taxes within CFD No. 5A (North Coyote Valley Facilities).

Ordinance No. 26420 adopted.

- (d) Receive results of election from City Clerk for the Special Election CFD No. 5B (North Coyote Valley Services).

Results of tabulation by the City Clerk:

1,664 or 87.0% qualified landowner votes.

Votes Cast: 1,448

97.2% voted in favor of the District, which meets the two-thirds voter approval requirement.

- (e) Adoption of a resolution declaring the results of the special election and directing the recording of the notice of the special tax lien for CFD No. 5B (North Coyote Valley Services).

Resolution No. 70444 adopted.

- (f) Adoption of an ordinance levying special taxes within CFD No. 5B (North Coyote Valley Services).

CEQA: Resolution No. 69957. Council District 2. (Public Works)

Ordinance No. 26421 adopted.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.9 Acceptance of the report on the Green Building Guidelines Recommendations.

Recommendation: Acceptance of the report on the Green Building Guidelines recommendations. (Environmental Services)

[Economic Development and Environment Committee referral 6/4/01 – Item 4.1(b)]

Council accepted the report and recommendations.

4.10 Approval to design the Phase II CHAP Program.

Recommendation: Direction to the Department of Housing to design a two-year, \$400,000 Phase II CHAP Program to provide housing and supportive services to homeless families and individuals, beginning in Fiscal Year 2001-02. (Housing)

[Economic Development and Environment Committee referral 6/4/01 – Item 4.1(c)]

Council approved staff recommendation.

5 RECREATION & CULTURAL SERVICES

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

No Report.

5.2 Approval to award a contract for the Cahalan Park and Playa del Rey Park Play Area Renovation Projects.

Recommendation: Report on bids and award of contract for the Cahalan Park and Playa del Rey Park Play Area Renovation Project, the first to be funded with parks bond proceeds, to the low bidder, HRB Construction, to include the base bid and Add Alternate Nos. 1, 2, 3, and 4, in the amount of \$856,210, and approval of a contingency in the amount of \$86,000. CEQA: Exempt. Council District 10. (Public Works)

Approved.

5.3 Approval of an agreement for the new Central Branch Library Project.

Recommendation: Approval of an agreement with Anderson Brule Architects, Inc. for consultant services including project design, preparation of construction documents, and construction administration services for the new Central Branch Library Project, for the period July 2, 2001 to November 30, 2004, in a total amount not to exceed \$1,068,990. Council District 7. (Public Works)

Approved.

6 TRANSPORTATION SERVICES

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

6.2 Approval to award the contract for the FY 2000-01 Paver Placed Surface Seal.

Recommendation: Report on bids and award of contract for the FY 2000-01 Paver Placed Surface Seal 2001 Project to the low bidder Windsor Fuel, Co. in the amount of \$1,744,740, and approval of a contingency in the amount of \$348,948. CEQA: Exempt. Council districts 1, 3, 4, 6, and 10. (Transportation)

Approved.

6.3 Approval to award the contract for the FY 2000-01 Slurry Seal Projects

Recommendation: Report on bids and award of contract for the FY 2000-01 Slurry Seal Project to the low bidder Bond Blacktop, Inc. in the amount of \$1,687,735, and approval of a contingency in the amount of \$337,547. CEQA: Exempt. (Transportation)

Approved.

7 ENVIRONMENTAL & UTILITY SERVICES

7.1 Approval to award a contract for the Ammonia Station Relocation and Backup Chlorination and Dechlorination System Improvements Program.

Recommendation: Report on bids and approval of award of contract for the construction project entitled "San Jose/Santa Clara Water Pollution Control Plant, FY 2000/2001 Capital Improvement Program, Chemical Systems: (1) Ammonia Station Relocation (2) Backup Chlorination and Dechlorination System Improvements" to the low bidder, Pacific Mechanical Corporation, in the amount of \$1,193,000, and approval of a contingency in the amount of \$119,000. CEQA: Exempt. (Environmental Services)

Approved.

7.2 Approval to award a contract for the Plant Grounds Improvement Program.

Recommendation: Report on bids and approval of award of contract for the construction project entitled "San Jose/Santa Clara Water Pollution Control Plant, FY 2000/2001 Capital Improvement Program, Plant Grounds Improvement" to the low bidder, Bellicitti & Pellicciotti Construction Company, Incorporated, in the amount of \$541,300, and approval of a contingency in the amount of \$54,700. CEQA: Exempt. (Environmental Services)

Approved.

7 ENVIRONMENTAL & UTILITY SERVICES

7.3 Approval for the City Manager to negotiate for energy generation opportunities on selected City properties.

Recommendation:

- (a) Direction to the City Manager to begin negotiations related to energy generation opportunities on City of San José lands and/or facilities with the following companies and return to Council in August with proposed agreements:
 - (1) For a conventional power plant:
 - (a) **Calpine Corporation** for a potential power generation opportunity of 90 MW at the Las Plumas site and 180-270 MW on Treatment Plant Lands.
 - (b) **Rolls Royce Power Ventures Inc.**, for a potential peaking power generation opportunity of 90 MW on Treatment Plant Lands.
 - (2) For Renewable Energy Systems:
 - (a) **Powerlight Corporation** – For various facilities and locations as identified within the RFQ using a variety of solar PV systems: roof top, parking shade structures, and single-axis tracking systems (ground mounted) for a potential total of 7MW.
 - (b) **Duke Solar**- for Treatment Plant lands (7MW), Singleton landfill (100 kW), for a hybrid power plant combining waste heat and solar peaking service, and other sites as determined for electricity displacement with solar powered absorption chillers.
 - (c) **Schott Applied Solar** – for the Treatment Plant (2 MW-ground mount solar system), Municipal Stadium (750 kW-parking shade) and Central Yard (500kW roof mount).
 - (d) **Global Solar** – Phase I could involve the use of various solar system technologies for the Treatment Plant (400 kW to 1.2 MW), Singleton Landfill (300-400 kW), and Lake Cunningham (300-400 kW), and the Story Road Landfill (100 kW). Phase II would utilize roof mounted and parking cover mounted systems for the other sites as listed in the RFQ (West Yard, Mabury Service Yard, Market Street Parking Garage, and Compaq Sports Arena).
 - (e) **Kyocera Solar** – Installations of 100kW increments for all of the sites identified in the RFQ using solar shade structures, ground mounted tracking systems, and fixed arrays.
- (b) Direction to the City Manager to discontinue activities related to land leases for transportable peaker power plants due to lack of response, availability, and related environmental issues.
- (c) Direction to the City Manager to develop and release a Request for Proposal (RFP) by September 2001 for a large power plant (500+ MW) in Treatment Plant Lands and explore potential RFP partnership opportunities with Silicon Valley Power.

(Environmental Services)

Deferred to 06/26/01.

7 ENVIRONMENTAL & UTILITY SERVICES

7.4 Approval to award a contract for the Settled Sewage Pump Station Discharge Piping and Concrete Vault Rehabilitation Program.

Recommendation: Report on bids and approval of award of contract for the construction project entitled "San Jose/Santa Clara Water Pollution Control Plant, FY 2000/2001 Capital Improvement Program, Settled Sewage Pump Station Discharge Piping and Concrete Vault Rehabilitation" to the sole bidder, Anderson Pacific Engineering Construction Incorporated, in the amount of \$574,000, and approval of a contingency in the amount of \$57,000. CEQA: Exempt. (Environmental Services)

Approved.

7.5 Report on the San José Municipal Water System Request for Proposals.

Recommendation: Acceptance of staff's report and direction to staff to proceed with the San José Municipal Water System Request for Proposals for the long term lease or operation of the System. (City Manager's Office)

Deferred to 06/26/01.

7.6 Acceptance of the Executive Summary from the Status Report and Assessment of the Revised South Bay Action Plan Programs.

Recommendation: Acceptance of the Executive Summary from the Status Report and Assessment of the Revised South Bay Action Plan Programs and direction to the Environmental Services Department to implement the recommendations contained in the Report. (Environmental Services)

(Rules Committee referral 6/13/01)

Council accepted the summary and assessment of the programs and directed Staff to implement the recommendations with periodic reports to Council that include the use of existing water delivery system; plans for exhausting all alternatives to sell water prior to expanding pumping capacity; plans for existing property before constructing the pipeline.

8 AVIATION SERVICES

- 8.1 **Approval to negotiate for lease and maintenance of compressed natural gas shuttle buses for the San José International Airport and approval of an agreement for maintenance.**

Recommendation: Report on Request for Proposals and approval to reject all proposals for lease and maintenance of compressed natural gas (CNG) shuttle buses for the San José International Airport; and adoption of a resolution authorizing the Director of General Services to negotiate and execute an agreement with Penske Truck Leasing Co., L.P., for a seven year lease and maintenance of CNG buses, for a first year cost not to exceed \$2,950,000. (General Services)

Resolution No. 70445 adopted.

9 PUBLIC SAFETY SERVICES

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

REDEVELOPMENT AGENCY BOARD CONVENED AT 3:15 P.M. TO CONSIDER ITEMS 10.1, and 10.3 IN A JOINT SESSION

- 10.1 **Adoption of resolutions pertaining to the FY 2001-2002 Agency Budget and FY 2002-2006 Capital Improvement Program (CIP).**

Recommendation: Adoption of resolutions by the City Council and Agency Board pertaining to the Agency's annual budgets, CIP, and public improvements as follow:

(a) Adoption by the Agency Board of the Fiscal Year 2001-2002 Revenue and Appropriation Resolutions for the Operating and Capital Budgets; and making certain determinations regarding the expenditure of Agency funds to eradicate graffiti; and,

(b) Adoption of a resolution by the Agency Board approving amendments to the FY 2000-01 Appropriations Resolution to reflect various modifications to the FY 2000-01 Capital Budget.

Redevelopment Agency Board Resolutions Adopted.

(c) Adoption of a resolution by the City Council making certain determinations regarding the expenditure of Agency funds on public improvements; and,

Resolution No. 70446 adopted.

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

10.1 Adoption of resolutions pertaining to the FY 2001-2002 Agency Budget and FY 2002-2006 Capital Improvement Program (CIP). – (Cont'd.)

Recommendation: Adoption of resolutions by the City Council and Agency Board pertaining to the Agency's annual budgets, CIP, and public improvements as follow:

- (d) Adoption of resolutions by the City Council and Agency Board authorizing the City Manager and Executive Director to negotiate and execute the FY 2001-2002 cooperation agreements between the City and the Agency for the Merged Area Redevelopment Project for Capital Improvements, and the agreement regarding operating expenses.

(Executive Director)

Resolution No. 70447 adopted.

Redevelopment Agency Board Resolution Adopted.

REDEVELOPMENT AGENCY BOARD CONVENED AT 7:25 P.M. TO CONSIDER ITEMS 10.2 IN A JOINT SESSION

10.2 Adoption of resolutions pertaining to the formation of the Strong Neighborhoods Initiative Project Area Committee (PAC).

Recommendation:

- (a) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Third Amended and Restated Procedure for Formation and Election of the Project Area Committee for the Proposed Strong Neighborhoods Initiative Redevelopment Project Area.

Resolution No. 70454 adopted.

Redevelopment Agency Board Resolution Adopted.

- (b) Adoption of a resolution by the City Council appointing seventeen community organizations to serve on the Strong Neighborhoods Initiative Project Area Committee (PAC).

Resolution No. 70455 adopted.

- (c) Adoption of a resolution by the City Council finding that all adopted election procedures were followed in the election of the PAC; and approving the PAC as elected and selected.

Resolution No. 70456 adopted.

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

10.2 Adoption of resolutions pertaining to the formation of the Strong Neighborhoods Initiative Project Area Committee (PAC).

- (d) Adoption of resolutions by the City Council and Redevelopment Agency Board directing Agency staff to consult with and obtain the advice of the PAC on matters affecting residents of the proposed Strong Neighborhoods Initiative Redevelopment Project Area.

SNI Area: All. (Executive Director)

This Item Heard in the Evening.

Resolution No. 70457 adopted.

Redevelopment Agency Board Resolution Adopted.

Council referred to Rules Committee the development and implementation of the Program Workplan with definitive roles and responsibilities of the PAC, including clear and precise goals and objectives.

REDEVELOPMENT AGENCY BOARD ADJOURNED AT 7:45 P.M.

10.3 Approval of various actions related to the Parkland In-Lieu Fee Low-Income Unit Voucher Program.

Recommendation:

- (a) Approval of an ordinance amending Chapters 14.25 (Park Impact Ordinance) and 19.38 (Parkland Dedication Ordinance) of the San José Municipal Code in order to continue the suspension of the exemption of low-income units until July 1, 2004, and to extend the voucher program for eligible low-income units until July 1, 2004.

Ordinance No. 26422 passed for publication.

- (b) Adoption of resolutions by the City Council and the Agency Board approving the Parkland In-Lieu Fee Low-Income Unit Voucher program for the payment of subsidized parkland fees for low-income units by the Redevelopment Agency.

CEQA: Exempt. (City Manager's Office/Redevelopment Agency)

(Rules Committee referral 6/13/01)

Resolution No. 70448 adopted.

Redevelopment Agency Board Resolution Adopted.

THE REDEVELOPMENT AGENCY BOARD RECESSED AT 3:22 P.M.

• Closed Session Report

- **Open Forum**

Council recessed at 3:40 p.m. and reconvened at 7:00 p.m., Council Chambers, City Hall.

11 PUBLIC HEARINGS

11.1 Public meeting on proposed Maintenance Districts 19 and 20.

Recommendation: First public meeting to receive public comment on proposed Maintenance District 19 (River Oaks Area Landscaping) and proposed Maintenance District 20 (Renaissance – North First Landscaping). Council District 3. (Public Works)

First Public Meeting Held.

No Public Testimony Presented.

11.2 Public meeting on proposed Maintenance Districts 4, 9, and 11.

Recommendation: First public meeting to receive public comment on modifications and reauthorization of Maintenance District 4 (Gateway – Airport Parkway), Maintenance District 9 (Santa Teresa – Great Oaks), and Maintenance District 11 (Brokaw Road from Junction to Old Oakland). Council Districts 2, 3, and 4. (Public Works)

First Public Meeting Held.

No Public Testimony Presented.

11.3 Public hearing on planned development rezoning on Skyway Drive.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the easterly terminus of Skyway Drive, from (A) PD Planned Development Zoning District and R-1:B-6 Residence District to (A) PD Planned Development Zoning District, to allow: (1) secondary access to Diamond Heights Drive; (2) an increase in the maximum number of students from 1200 to 1400; (3) hard court and parking uses on areas previously designated for open space, and (4) deletion of the requirement to implement a busing program; and (5) combination of the previously approved portions of an existing high school and church campus under one Planned Development Zoning District on 52.68 gross acres. (Valley Christian Schools and South Valley Christian Church, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend denial (6-0-1).

PDC 00-08-065 - District 2

(Continued from 12/12/00 – Item 15k et al., and 6/5/01 – Item 11.1)

Ordinance No. 26423 passed for publication. Disqualified: Reed.

Director of Planning, Building and Code Enforcement and Planning Commission recommendation not approved.

Council approved recommendations contained in 06/19/01 memorandum from Mayor Gonzales, Vice Mayor Shirakawa, Jr., and Council Member Williams that (a) the applicant submit to the Director of Planning a Trip Reduction Program designated to achieve a 15% reduction in a.m. peak hour trips; (b) the City Council deny approval of the applicant's request to an increase in the maximum number of students from 1200 to 1400; (c) the City Council direct the Department of Transportation to conduct a traffic

11 PUBLIC HEARINGS

11.3 Public hearing on planned development rezoning on Skyway Drive. (Cont'd.)

analysis of Skyway Drive three months after implementation of the Trip Reduction Plan and the completion of construction of parking areas and report this analysis back to Council; (d) the City Council reconsider the increase in the number of students three months after the implementation and traffic analysis of the Trip Reduction Plan and the completion of construction of the parking areas; and (e) the City Council approve the provision for additional parking areas with the condition that the applicant add a second left-turn lane at the intersection of Monterey Highway and Skyway Drive to the satisfaction of the Director of Public Works. In addition, Council directed Staff to work with the Developer during the PD stage to maximize area parking and identify best option.

11.4 Public hearing on planned development rezoning at 1135 Auzerais Street.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the northeast corner of Auzerais and Race Streets (1135 Auzerais Street), from M-1 Manufacturing Zoning District to (A) PD Planned Development Zoning District, to allow for the relocation of a billboard on 2.86 gross acres. (Chester C. Lehmann, Owner/Developer). CEQA: Exempt.
PDC 00-08-082 - District 6
(Continued from 12/12/00 – Item 15n et al., and 5/15/01 – Item 11.3)
Dropped.

11.5 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 et al., and 6/5/01 – Item 11.2)
Continued to 08/14/01.

11 PUBLIC HEARINGS

11.6 Public Hearing on planned development rezoning at Blackford and Saratoga Avenues.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southeast corner of Blackford Avenue and Saratoga Avenue, from RM Residence Zoning District to A(PD) Planned Development Zoning District, to allow an addition of up to 84 multi-family attached residential units to an existing apartment complex on 1.1 gross acres. (R&B Realty Group and Moreland School District, Owners; R&B Realty Group, Developer). CEQA: Negative Declaration. PDC 00-09-089 - District 1

(Continued from 5/15/01 – Item 11.5)

Continued to 08/14/01.

11.7 Public Hearing on planned development rezoning of the corner of Union Avenue and Highway 85.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the northwest corner of Union Avenue and Highway 85, from the A(PD) Planned Development and IP Industrial Park Zoning Districts to A(PD) Planned Development Zoning District, to allow an additional 85,000 square feet of office space, 2 parking structures (4 and 5 levels), 21,888 square feet for a private fitness center to an existing 587,000 square foot industrial office/R&D campus site on 31.18 gross acres. (Xilinx, Inc., Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 01-01-009 - District 9

(Continued from 6/5/01 – Item 11.5)

Ordinance No. 26424 passed for publication.

11.8 Public Hearing on planned development rezoning of University Avenue.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the south side of University Avenue, approximately 170 feet easterly of The Alameda, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow 5 single-family courthomes on 0.46 gross acre. (Jesse & Jemma Jack/Claddagh Construction Co., Owners; Claddagh Construction Co., Developer). CEQA: Negative Declaration. Director of Planning Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 01-02-030 - District 6

(Continued from 6/5/01 – Item 11.7)

Ordinance No. 26425 passed for publication.

11 PUBLIC HEARINGS

11.9 Public Hearing on planned development rezoning of Balbach Street.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the south side of Balbach Street, 200 feet westerly of Market Street, from C-3 Commercial Zoning District to A(PD) Planned Development Zoning District, to allow up to 12 attached dwelling units on 0.40 gross acre. (Des Nolan, Owner/Developer.) CEQA: Resolution No. 68839. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 00-05-043- District 3

(Continued from 6/5/01 – Item 11.8)

Continued to 09/18/01.

11.10 Public Hearing on planned development rezoning of Lone Hill Road.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the west side of Lone Hill Road, 350 feet northerly of Los Gatos-Almaden Road, from R-1:B-8 Residence Zoning District to A(PD) Planned Development Zoning District, to allow up to two single-family detached units on 0.47 gross acre. (Christopher Harris and Marco DeGeorge, Owner/Developer). CEQA: Exempt. Director of Planning Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 00-08-076- District 9

(Continued from 6/5/01 – Item 11.9)

Ordinance No. 26426 passed for publication.

11.11 Public Hearing on planned development rezoning of Winchester Boulevard.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the easterly side of Winchester Boulevard, opposite Olin Avenue and Olsen Drive, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow an expansion of the project area, an increase in commercial space of approximately 75,000 square feet (total 680,000 square feet), an increase in hotel rooms of 190 (total 404 rooms), an addition of one residential unit (total of 1201), and an increase in height of 30 feet (total of 120 feet), for two future buildings as approved with General Plan Amendment File No. GP 00-T-10, on 40.788 gross acres. (FRIT San José Town & Country Village, LLC & San José Residential, Inc., Owner/Developer). CEQA: Resolution No. 68210.

PDCSH 01-02-023 - District 6

(Continued from 6/5/01 – Item 11.12)

Dropped – See Item 11.12

11 PUBLIC HEARINGS

11.12 Public Hearing on planned development rezoning of Winchester Boulevard.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the easterly side of Winchester Boulevard, opposite Olin Avenue and Olsen Drive, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow an expansion of the project area, an increase in commercial space of approximately 75,000 square feet (total 680,000 square feet), an increase in hotel rooms of 190 (total 404 rooms), an addition of one residential unit (total of 1201), and an increase in height of 30 feet (total of 120 feet), for two future buildings as approved with General Plan Amendment File No. GP 00-T-10, and to allow restaurant or nightclub spaces greater than 9,000 square feet through the PD Permit process on 40.788 gross acres. (FRIT San José Town & Country Village, LLC & San José Residential, Inc., Owner/Developer). CEQA: Resolution No. 68210. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDCSH 01-02-023 - District 6

Ordinance No. 26427 passed for publication.

Council directed Staff to remove the words “West Side of Santana Row” from the location and substitute the description “Santana Row”.

11.13 Public Hearing on planned development rezoning of McCarthy Boulevard.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located on the both sides of McCarthy Boulevard, at the westerly terminus of Dixon Landing Road, from A Agriculture Zoning District to A(PD) Planned Development Zoning District, to allow development of up to 24,900 square feet of office use, up to 8,500 square feet of commercial uses, and a gasoline service station with up to eight (8) fueling stations with a car wash facility on 0.56 gross acre. (Los Esteros Ranch Partnership, Owner; Will Oswald, Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (4-2-1).

PDC 99-09-078 - District 4

(Continued from 6/5/01 – Item 11.13)

Ordinance No. 26428 passed for publication. Disqualified: Reed.

11 PUBLIC HEARINGS

11.14 Public Hearing on planned development rezoning of Berryessa Road.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the north side of Berryessa Road, approximately 50 feet easterly of Mabury Road (929 Berryessa Road), from HI-Heavy Industrial Zoning District to A(PD) Planned Development Zoning District, to allow approximately 91,000 square feet of incubator industrial and warehouse uses on 5.18 gross acres. (James A. and Frances A. Jones, Owner; Borelli Development Company, Developer). CEQA: Negative Declaration. Director of Planning, Building, and Code Enforcement and Planning Commission recommend denial (6-0-1).

PDC 00-12-124 - District 4

**Ordinance No. 26429 passed for publication.
Council approved the project with addition of a deed restriction at the sale of the building.**

11.15 Public Hearing on planned development rezoning of Pamela Avenue.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the east side of Pamela Avenue, approximately 130 feet south of McKee Road, from R-M Residence District to A(PD) Planned Development Zoning District, to allow the addition of four multi-family attached residential units to an existing 8-unit multi-family residential project, on a .27 gross acre site. (Bruno Strul, Owner/Developer). CEQA: Negative Declaration. Director of Planning Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 00-09-093 - District 5

Ordinance No. 26430 passed for publication.

11.16 Public Hearing on planned development rezoning at Willow Street and Delmas Avenue.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southeasterly corner of Willow Street and Delmas Avenue, from CN Commercial and R-1-8 Residential Zoning District to A(PD) Planned Development Zoning District, to allow up to 30 single family attached units on 1.8 gross acres. (Inez Flynn, Michael Franges, Mary Francis, Franbu LLC, Owner; Dennis O'Keefe Pulte Homes, Developer). CEQA: Negative Declaration. Director of Planning Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 01-02-031 - District 6

Ordinance No. 26431 passed for publication.

11 PUBLIC HEARINGS

11.17 Public Hearing on conventional rezoning of 91 S. Autumn Street.

Recommendation: PUBLIC HEARING ON CONVENTIONAL REZONING of the property located at the west side of S. Autumn Street, approximately 80 feet north of West San Fernando Street (91 S. Autumn Street), from LI Light Industrial Zoning District to CN Commercial Zoning District, to allow a sandwich shop in an existing building on 0.11 gross acres. (Sally Meduri, Owner/Developer).

CEQA: Resolution No. 65459.

C 01-03-033 - District 3

Ordinance No. 26432 passed for publication.

11.18 Public Hearing on conventional rezoning of Julian Street.

Recommendation: PUBLIC HEARING ON CONVENTIONAL REZONING of the property located at the north side of Julian Street, approximately 70 feet west of Montgomery Street, from HI Heavy Industrial Zoning District to IP Industrial Park Zoning District, to allow a 16,750 square foot office building on 0.75 gross acre. (Donna Speiser, Owner; David Fazekas, Developer). CEQA: Resolution No. 60198. Director of Planning Building and Code Enforcement and Planning Commission recommend approval (6-0-1).

C 01-03-035 - District 3

Ordinance No. 26433 passed for publication.

11.19 Public Hearing on conforming rezoning of Monterey Road.

Recommendation: PUBLIC HEARING ON CONFORMING REZONING of the property located at the east side of Monterey Road, approximately 600 feet northerly of Tully Road, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow an increase in height, from 40 feet to 50 feet, for a previously approved affordable Single Room Occupancy (SRO) residential facility on 2.92 gross acres. (Core Development Incorporated, Owner/Developer). CEQA: Resolution No. 65657. Director of Planning Building and Code Enforcement recommends approval.

PDCSH 01-05-059 - District 7

Ordinance No. 26434 passed for publication.

11 PUBLIC HEARINGS

11.20 Public Hearing on planned development rezoning of Blossom Hill Road.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the north side of Blossom Hill Road, between Santa Teresa and Winfield Boulevards, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow an expansion of 394,845 square feet to an existing shopping center containing 954,389 square feet, for a proposed total of 1,349,234 square feet on 56.6 gross acres. (Martin, Eager, Malone (Trustees), Owner; Westfield Corporation, Inc., Developer). CEQA: Resolution No. 92060. Director of Planning Building and Code Enforcement and Planning Commission recommend approval (6-0-1).
PDC 00-09-088- District 10

Ordinance No. 26435 passed for publication.

Council approved the statement of overriding considerations, and approved the PD Rezoning for the Oakridge project with the understanding that the applicant will continue to work with Council Member Dando's Office and City Staff to address the traffic concerns expressed by the community.

- **Open Forum**

- **Adjournment**

The Council of the City of San José adjourned at 10:35 p.m. in memory of Ms. Ann Turner, first homeless person to serve as a member on the Housing Advisory Commission; and in memory of Colleen Peyton, mother of David Peyton, Superintendent in the Office of Aging.

**JOINT CITY OF SAN JOSÉ
CITY COUNCIL/FINANCING AUTHORITY/
REDEVELOPMENT AGENCY BOARD
AGENDA**

1:30 P.M

TUESDAY, JUNE 19, 2001

CHAMBERS

- **Call to Order and Roll Call**
3:25 p.m. - Joint Session, Council Chambers, City Hall
Absent: Council Members – None.

1.1 Approval of various actions for the Convention Center Refunding Project.

Recommendation:

- (a) Adoption of a resolution by the City of San José Financing Authority:
 - (1) Authorizing the issuance of City of San José Financing Authority, Tax-Exempt Lease Revenue Bonds, Series 2001F (“2001F Bonds”) and Taxable Lease Revenue Bonds, Series 2001G (“2001G Bonds”) (Convention Center Refunding Project) (collectively, “2001 Refunding Bonds”) in the not-to-exceed aggregate principal amount of \$205,000,000 to be sold at a competitive sale; and
 - (2) Approving in substantially final form and authorizing the execution of certain financing documents, including the Trust Agreement, the Site and Facility Lease, Project Lease, and other related documents and directing certain related actions in connection with the financing for the 2001 Refunding Bonds; and
 - (3) Approving in substantially final form the Official Notice Inviting Bids and the Preliminary Official Statement in connection with the competitive sale of the 2001 Refunding Bonds, and other related actions; and
 - (4) Authorizing the City Manager to negotiate and execute an agreement with Public Resources Advisory Group for financial advisory services in an amount not to exceed \$125,000.
Resolution No. SJFA-51 adopted.

- (b) Adoption of a resolution by the City Council approving in substantially final form and authorizing the execution of the Project Lease, the Site and Facility Lease, the Second Amended and Restated Reimbursement Agreement, and other related documents, and directing certain related actions in connection with the financing for the 2001 Refunding Bonds.
Resolution No. 70449 adopted.

1.1 Approval of various actions for the Convention Center Refunding Project. – (Cont'd.)

- (c) Adoption of a resolution by the Redevelopment Agency approving in substantially final form and authorizing the execution of the Second Amended and Restated Reimbursement Agreement.

(Finance/Redevelopment Agency)

[Finance and Infrastructure Committee referral 6/13/01 – Item 3.3(c)]

Redevelopment Agency Board Resolution Adopted.

Council accepted the Finance and Infrastructure Committee Report and actions of June 13, 2001 (Partial) for the Convention Center Refunding,

- **Adjourn the San José Financing Authority**
The Financing Authority of the City of San José adjourned at 3:40 p.m.

JOINT REDEVELOPMENT AGENCY/COUNCIL

The following actions were taken at the joint session of the Redevelopment Agency/City Council, Tuesday, June 19, 2001:

7.1 Approval of the Ninth Amended West San Carlos Street Redevelopment Plan.

Recommendation: Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Report Accompanying the Ninth Amended West San Carlos Street Redevelopment Plan, and approving an ordinance by the City Council adopting the Ninth Amended West San Carlos Street Redevelopment Plan which extends the eminent domain authority of the Agency through December 31, 2010, and making certain findings. CEQA: Resolution No. 62614 (WEST SAN CARLOS)

Resolution No. 70451 adopted.

Ordinance No. 26436 passed for publication.

Redevelopment Agency Board Resolution Adopted.

JOINT REDEVELOPMENT AGENCY/COUNCIL

7.2 Approval of the Tenth Amended The Alameda Redevelopment Plan.

Recommendation: Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Report Accompanying the Tenth Amended The Alameda Redevelopment Plan, and approving an ordinance by the City Council adopting the Tenth Amended The Alameda Redevelopment Plan which extends the eminent domain (including over residential property) authority of the Agency through December 31, 2010, and making certain findings. CEQA: Resolution No. 62613 (THE ALAMEDA

Resolution No. 70452 adopted.

Ordinance No. 26437 passed for publication.