



# CITY COUNCIL AGENDA

**AUGUST 28, 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.**

- **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. - General Plan, Council Chambers, City Hall**  
**Absent: Council Members – Dando (excused).**
  
- **Invocation (District 7)**  
**Pastor Tony Williams, Maranatha Christian Center, delivered the invocation.**
  
- **Pledge of Allegiance**  
**Mayor Gonzales led in the Pledge of Allegiance.**
  
- **Orders of the Day**  
**Approved.**

## **1 CEREMONIAL ITEMS**

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- 1.1** Recognition of the San José International Airport’s award for excellence in financial reporting for fiscal year ending 2000 from the Governmental Finance Officers Association (GFOA). (Dando)
- Joining Mayor Gonzales at the Podium were Council Member Dando, Director of Aviation Ralph G. Tonseth, Deputy Director of Finance & Administration Terri Gomes, Supervising Accountant Anita Ong, and Airport staff representatives who were recognized for their outstanding award in excellence in government accounting and financial reporting for four consecutive years by the Governmental Finance Officers Association. Mayor Gonzales congratulated the Department and asked all members of Finance to stand and be recognized.**

# 1 CEREMONIAL ITEMS

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- 1.2 Presentation of a commendation to Dan Garrett for being selected from a competitive field of over 68,000 Naval Reservists worldwide as the Navy Reserve Sailor of the Year 2001. (Cortese)

**Joining Mayor Gonzales at the Podium, Council Member Cortesé acknowledged Chief Petty Officer Garrett who was honored as the Navy Reserve Sailor of the Year 2001, for his accomplishments as an Air Crewman responsible for acoustic detection devices, his 17-year commitment to the U.S. Naval Reserves, and numerous meritorious achievements. Mayor Gonzales presented the commendation to Officer Garrett and asked the honoree’s family and military guests to stand and be recognized.**

- 1.3 Presentation of a commendation recognizing the CyberRays for a successful season. (Mayor

(Rules Committee referral 8/22/01)

**Mayor Gonzales invited to the Podium CyberRays’ General Manager Marlene Bjornsrud and the professional championship Bay Area CyberRays team, and presented the commendation in recognition of the Team’s accomplishments as winner of the Founders’ Cup trophy. Team Members presented to Mayor Gonzales a cap and to each Council Member a T-Shirt, each bearing the Team’s logo. General Manager Bjornsrud invited all to join the community celebration on Thursday, August 30, 2001 at Caesar Chavez Park, and Music-In-The Park celebrations.**

# 2 CONSENT CALENDAR

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- 2.1 Approval of Minutes.

None.

- 2.2 Final adoption of ordinances.

**Recommendation:** Final adoption of ordinances:

- (a) ORD. NO. 26455 – Amends various Sections of Title 20 to alter the development regulations in commercial and residential zoning districts.

**Ordinance No. 26455 adopted.**

- (b) ORD. NO. 26456 – Amends various Sections of Chapters 20.20, 20.30, 20.40, 20.50, 20.80, 20.100, and 20.200 to establish regulations for electrical power generation.

**Ordinance No. 26456 adopted.**

- (c) ORD. NO. 26457 - Rezones certain real property situated at the southeast corner of Blackford Avenue and Saratoga. PDC 00-09-089

**Ordinance No. 26457 adopted.**

## 2 CONSENT CALENDAR

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### 2.2 Final adoption of ordinances

**Recommendation:** Final adoption of ordinances

- (d) ORD. NO. 26458 - Rezones certain real property situated at the northeast corner of Capitol Expressway and Carpentier Way. PDC 00-10-102  
**Ordinance No. 26458 adopted.**
- (e) ORD. NO. 26459 - Rezones certain real property situated at the southeast corner of Seaboard and Channing Avenues (2585 Seaboard Avenue). PDC 00-08-074  
**Ordinance No. 26459 adopted.**
- (f) ORD. NO. 26460 - Rezones certain real property generally bounded by Coe Avenue to the north and Minnesota Avenue to the south within and adjacent to the Lincoln Avenue Neighborhood Business District. CC 01-07-070  
**Ordinance No. 26460 adopted.**
- (g) ORD. NO. 26461 - Rezones certain real property generally bounded by Prospect Street to the east and Highway 87 to the west within and adjacent to the Willow Street Neighborhood Business District. CC 01-07-071  
**Ordinance No. 26461 adopted.**
- (h) ORD. NO. 26462 - Rezones certain real property situated at the east side of Monterey Road and the south side of Fehren Drive. C 00-10-110  
**Ordinance No. 26462 adopted.**
- (i) ORD. NO. 26465 – Amends Chapters 4.46, 4.47, and 4.54 of Title 4 of the San José Municipal Code to add sections to suspend the collection of taxes imposed under such Chapters for the construction of solar building service equipment.  
**Ordinance No. 26465 adopted.**
- (j) ORD. NO. 26466 – Establishes and declares the City of San José City Council Districts and their boundaries, using 2000 Federal Census data.  
**Ordinance No. 26466 adopted.**

## 2 CONSENT CALENDAR

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### 2.3 Approval of recommended changes to Bail Schedule.

**Recommendation:**

- (a) Approval of recommended changes to the City of San José Bail Schedule and direction to the City Attorney to submit the recommended changes in the Bail Schedule to the Superior Court Bail Committee.  
**Approved.**

## 2 CONSENT CALENDAR

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### 2.3 Approval of recommended changes to Bail Schedule. – (Cont'd.)

**Recommendation:**

(b) Approval of an ordinance amending Section 1.08.020 of Chapter 1.08 of Title 1 of the San José Municipal Code to update the list of infractions.

(City Attorney's Office)

**Ordinance No. 26472 passed for publication.**

### 2.4 Approval to amend an agreement for additional dwellings in Phase 6 of the Acoustical Treatment Program.

**Recommendation:** Approval of a third amendment to the agreement with Corlett, Skaer & DeVoto Architects for acoustical treatment design, bid support, and construction administration services for 27 additional dwellings in Phase 6 of the Airport Acoustical Treatment Program, to increase compensation in an amount not to exceed \$221,860, for a total agreement amount not to exceed \$6,055,349, and extending the time for completion from June 30, 2002 to June 30, 2003. CEQA: Resolution No. 67380. (Airport)

**Approved.**

### 2.5 Approval of various fiscal actions for various Redevelopment Agency Capital Projects.

**Recommendation:** Adoption of appropriation ordinance and funding sources resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for the Graffiti Abatement and Power Washing (Blight Abatement) Project, the East Santa Clara Street Pedestrian Lighting Project, and the West San Carlos Street Pedestrian Streetlight Project, with a net impact to the fund of \$487,505. (City Manager's Office)

**Ordinance No. 26473 adopted.**

**Resolution No. 70586 adopted.**

### 2.6 Approval to reject bids for the Nitrification Air Supply Automation.

**Recommendation:** Approval to reject all bids for the construction project entitled "San José/Santa Clara Water Pollution Control Plant, FY 1997/1998 Capital Improvement Program, Nitrification Air Supply Automation." CEQA: Exempt.

(Environmental Services)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.7 Approval of additional work for the Repair of Expansion Joints and Concrete Cracks in Nitrification Pipe Gallery Project.

**Recommendation:** Approval of Contract Change Order No. 1 with Fargo Construction for the construction project entitled “San José/Santa Clara Water Pollution Control Plant, FY 1999/2000 Capital Improvement Program, Repair of Expansion Joints and Concrete Cracks in Nitrification Pipe Gallery,” in an amount not to exceed \$40,000, for a total contract amount of \$112,730, with no contract time extension. CEQA: Exempt. (Environmental Services)

**Approved.**

### 2.8 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 2001-2002 #5, and authorization for the Director of General Services to execute the purchase orders. (General Services)

**Approved.**

### 2.9 Approval of the sale of surplus police patrol cars and equipment to the State of Baja California Sur, Mexico.

**Recommendation:** Adoption of a resolution authorizing the Director of General Services to execute all documents necessary for the sale of eight surplused former police patrol cars and associated equipment for the amount of \$16,800, to the State of Baja California Sur, Mexico, to be redistributed to communities with limited resources in Baja California Sur. (General Services)

**Resolution No. 70587 adopted.**

### 2.10 Approval to create, change, and delete various job classifications.

**Recommendation:** Adoption of a resolution amending the City Pay Plan to:

- (a) Create job classifications for Supervisor, Administration (1138), Senior Supervisor, Administration (1139), Principal Office Specialist PT (1121), Literacy Program Specialist PT (6237), and Temporary Employee Retiree Unclassified (9984).
  - (b) Change job classification titles for Supervising Office Specialist (1116), Staff Technician (1622), Staff Technician PT (1624), Marketing Representative I (4231), Marketing Representative I PT (4233), Marketing Representative II (4234), Marketing Representative II PT (4235), Marketing & Promotion Officer (6338).
  - (c) Revise salaries for Office Specialist I (1126), Office Specialist I PT (1128), Senior Office Specialist (1135), Senior Office Specialist PT (1137), Secretary (1156), and Secretary PT (1155).
  - (d) Delete various obsolete job classifications.
- (Human Resources)

**Resolution No. 70588 adopted.**

## 2 CONSENT CALENDAR

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### 2.11 Adoption of a resolution approving the reorganization of Evergreen No. 185.

**Recommendation:** Adoption of a resolution authorizing the reorganization of territory designated as Evergreen No. 185, which involves the annexation to the City of San José of 2.51 gross acres of land, located at the east side of Ruby Avenue, approximately 52 feet northerly of Murillo Avenue, and the detachment of the same from the Central Fire Protection District and the Santa Clara County Library Services Area. CEQA: Negative Declaration. Council District 8. (Planning, Building, and Code Enforcement)

**Deferred to 10/02/01.**

### 2.12 Approval of various actions related to the San José Beautiful Steering Committee.

**Recommendation:**

(a) Approval of the appointments to the San José Beautiful Steering Committee of Joe Amelio, Mannie Dominguez, Madeline Knight, Lynell Robinson, Dale Osborn, and Laura Schaub to two-year term's effective July 2001.

**Approved.**

(b) Reappoint currently active Steering Committee members: Ben Andrews, Nancy Cardinet, Jim Ekblom, Diane Gard, Jon Hellesoe, Ann Smith, and Emily Yue.

**Current Active Steering Committee Members Reappointed.**

(c) Acknowledge the conscientious efforts of outgoing Steering Committee members: Rebecca Elliot, Bonita Gibson, Charles Strauss, and Kristin Sulpizio.

(Parks, Recreation and Neighborhood Services)

**Outgoing Steering Committee Members commended.**

### 2.13 Approval to amend the master agreement for landscape architectural consultant services for the Mabury Park Master Plan.

**Recommendation:** Approval of the third amendment to the master agreement with Callander Associates Landscape Architecture Inc. for landscape architectural consultant services for various park and recreational projects, extending the term from September 30, 2001 to September 30, 2002, and increasing total compensation by an amount not to exceed \$35,000, for a total agreement amount not to exceed \$285,000. (Public Works)

**Approved.**

### 2.14 Approval of award of contract for the construction of the West San Carlos Street Median Island Improvements.

**Recommendation:** Report on bids and award of contract for the construction of the West San Carlos Street Median Island Improvements (Leigh to Willard) to the low bidder, Bellicitti and Pellicciotti Construction Company, Inc., in the amount of \$190,105, and approval of a contingency in the amount of \$19,000. CEQA: Exempt. Council District: 6. SNI: Burbank/Del Monte. (Public Works)

**Approved.**

## 2 CONSENT CALENDAR

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

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

**Report Accepted.**

### 2.16 Approval of an agreement for public education and awareness services for the Traffic Calming Program.

**Recommendation:** Report on Request for Proposals and adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Liquid Agency, Inc. to develop and assist in implementing Public Education and Awareness services for the period September 1, 2001 to August 31, 2002, as part of the City's Traffic Calming Program, in an amount not to exceed \$314,000. (Transportation)

**Dropped.**

### 2.17 Approval to set Voluntary Expenditure Limits for the 2002 Municipal Election.

**Recommendation:** Adoption of a resolution setting population limits for purposes of calculating the Voluntary Expenditure Limits for the 2002 Municipal Election Cycle.

(City Clerk)

(Rules Committee referral 8/22/01)

**Resolution No. 70589 adopted.**

### 2.18 Approval to assign an agreement for Airport rental car operations.

**Recommendation:** Adoption of a resolution:

- (a) Granting conditional consent to an assignment of the on-Airport rental car operations agreement and lease and the rental car storage ground lease from San Ramon Carriage Company, Inc. dba Thrifty Car Rental to Thrifty Rent A Car System, Inc.; and
- (b) Authorizing the City Manager to consent to a subsequent assignment from Thrifty Rent A Car System, Inc., as franchiser, to a new Thrifty Car Rental franchisee, on the same terms and conditions as the current agreements.

CEQA: Resolution No. 67380. (Airport)

(Rules Committee referral 8/22/01)

**Resolution No. 70590 adopted.**

### 2.19 Approval of appropriation ordinance and funding sources resolution amendments for various capital funds.

**Recommendation:** Adoption of appropriation ordinance and funding sources resolution amendments for various capital funds. (City Manager's Office)

(Rules Committee referral 8/22/01)

**Ordinance No. 26474 adopted.**

**Resolution No. 70591 adopted.**

## 2 CONSENT CALENDAR

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### 2.20 Approval of Administrative Debarment Hearings.

**Recommendation:** Adoption of a resolution establishing procedures for administrative debarment hearings. (City Attorney's Office)

**Resolution No. 70592 adopted.**

**Council directed the Administration to return to Council with recommendations for the formation of an appropriate hearing board available to complainants appealing debarment decisions.**

## 3 STRATEGIC SUPPORT SERVICES

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### 3.1 Report of the Study Session

Mayor Gonzales, Chair

**No Report.**

### 3.2 Report of the Rules Committee - August 15, 2001

Vice Mayor Shirakawa, Jr., Chair

(a) Redevelopment Agency items reported out at Redevelopment Agency meeting  
**The Redevelopment Agency items to be reported out at Redevelopment Agency Board meeting.**

(b) City Council

(1) Review August 28, 2001 Draft Agenda

**The Committee approved the August 28, 2001 City Council Agenda with two additions.**

(2) Add New Items to August 21, 2001 Amended Agenda

**The Committee recommended five additions to the August 21, 2001 City Council Agenda.**

(c) City Council Committees

(1) Amendments to Council Committee Agendas

(a) Finance and Infrastructure Committee

**The Committee added one item to the August 22, 2001 Finance and Infrastructure Committee Meeting Agenda.**

(b) Economic Development and Environment Committee  
**None Presented.**

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

**The Committee scheduled the start time of the August 20, 2001 meeting for 3:00 p.m., and recommended deferral to October 15, 2001.**

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.3 Report of the Rules Committee - August 15, 2001 – (Cont'd.)

Vice Mayor Shirakawa, Jr., Chair

(d) Meeting Schedules

**This Item Heard by Council on 08/21/01.**

(e) The Public Record

**None Presented.**

(f) Boards, Commissions and Committees

**None Presented.**

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

(1) Referral to Administration to determine feasibility of locating Council offices on a single floor in the New City Hall

**The Committee took no action on the requested referral and referred to the September 26, 2001 Finance and Technology Committee meeting a status report on previously stated Council priorities for the new City hall and accessibility issues noted by Committee Members Chavez and Dando.**

(2) Request for discussion of whether or not there should be a City-owned full service cafeteria in or near the main City Hall building

**The Committee referred this item to the September 26, 2001 Finance and Technology Committee meeting as part of a building status report and any budget reconciliation items which might be related.**

(3) Referral to Administration for a workload assessment on developing a Construction Impact Mitigation Plan

**The Committee deferred this item to August 23, 2001 Rules Committee meeting.**

(h) Administrative Reviews and Approval

(1) Request to use Council General Funds by Council Member Pat Dando to attend National League of Cities' TEA-21 Reauthorization Task Force Meeting in Washington, D.C., August 17-19, 2001

**The Committee recommended approval of the use of Council General Funds.**

(i) Oral communications

**None Presented.**

(j) Adjournment

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

**The Rules Committee Report and actions of August 15, 2001 accepted.**

### **3 STRATEGIC SUPPORT SERVICES**

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

- 3.4 Report of AT&T Cable Franchise negotiations.**

**Recommendation:**

- (a) Update on status of informal negotiations to renew the cable franchise with AT&T Broadband HC of California, LLC; and
- (b) Establish deadline of September 30, 2001 to suspend the informal negotiations until documents for the formal cable renewal process have been presented to Council.

(City Manager's Office)

**Council accepted the status report and approved the deadline for suspending negotiations.**

- 3.5 Ratification of final expenditures for FY 2000-2001.**

**Recommendation:** Adoption of an ordinance ratifying final expenditures in various appropriations for FY 2000-2001. (City Manager's Office)

(Deferred from 8/21/01 – Item 3.4)

**Ordinance No. 26475 adopted.**

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

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

- 4.2 Approval of the Auto Body Repair Shop Ordinance.**

**Recommendation:**

- (a) Approval of an ordinance amending Title 6 of the San José Municipal Code to add a new chapter relating to the activity of auto body repair shops, to establish the permit procedures, and set forth operating regulations and conditions.

**Ordinance No. 26476 passed for publication/adopted.**

- (b) Adoption of a resolution amending the Schedule of Fees and Charges to establish an Auto Body Repair Shop inspection fee.

(Planning, Building and Code Enforcement)

[Education, Neighborhoods, Youth and Seniors Committee referral 6/18/01 – Item 5.1(f)]

**Resolution No. 70593 adopted.**

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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### **4.3 Approval of various actions for the Sycamore Terrace Development.**

**Recommendation:** Adoption of resolutions:

- (a) Making appropriation ordinance and funding sources resolution amendments to the Housing and City-wide Parks Construction and Conveyance Tax Funds which:
  - (1) Authorize a transfer of funds in the amount of \$750,000 from the Low- and Moderate-Income Housing Fund to the Citywide Parks Construction and Conveyance (“CPC&C”) Fund 391, to pay for a City-owned 0.51 acre parcel on the north side of Coleman Road between Almaden Expressway and Los Alamitos Creek for the development of the Sycamore Terrace Project;
  - (2) Increase the Interfund Transfers by \$750,000 to the CPC&C for Guadalupe and Los Alamitos Creek trail improvements; and
  - (3) Establish the Reserve for Almaden Lake Park and Trails Project in the amount of \$750,000.
- (b) Authorizing the Director of Housing to enter into exclusive negotiations with Pulte Home Corporation on behalf of the City to develop the Sycamore Terrace site, with at least 18 of the 59 units in the project being affordable to moderate-income households.
- (c) Finding that the use of 20% Housing Funds for the transfer of administration of the City’s 0.51 acre parcel at the northeast corner of Almaden Expressway and Coleman Road to the Department of Housing is a benefit to the City’s Redevelopment Areas.
- (d) Establishing a budget of \$1,080,000 for Guadalupe Creek/Los Alamitos Creek Trail Connection Project.

Council District 10. (Parks, Recreation and Neighborhood Services/Housing/City Manager’s Office)

**Deferred to 09/04/01.**

### **4.4 Approval of a sign remediation agreement to alter the heights of and to remove certain billboards.**

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute a sign remediation agreement with Clear Channel (formerly Eller Media Company) to:

- (a) Alter the height of billboards on the property located at the north side of State Highway 237, approximately 150 feet westerly of Gold Street, to allow two (2) existing billboard panels to be increased in height from approximately 34 feet to a maximum of 50 feet in height on 0.7 gross acre. CEQA: Negative Declaration. BB 01-06-001 – District 5

*This item continued on the next page.*

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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### **4.4 Approval of a sign remediation agreement to alter the heights of and to remove certain billboards – (Cont'd.)**

(b) Alter the height of a billboard on the property located at the north side of Las Plumas Avenue, approximately 100 feet northeasterly of US Highway 101, to allow an existing billboard panel to be increased in height from approximately 28 feet to a maximum of 50 feet in height on 2.87 gross acres. CEQA: Negative Declaration.

BB 01-06-002 – District 4

(c) Remove five billboards located on the west side of South 1<sup>st</sup> Street, 145 feet northerly of Edwards Avenue (APN 264-37-075), on the north side of Alum Rock, 310 feet easterly of Jose Figueres Avenue (APN 481-07-041), at the southeast corner of North 4<sup>th</sup> Street and Washington Street (APN 249-46-078), on the south side of The Alameda, 50 feet east of Morrison Avenue (APN 261-32-074), and on the northeast corner of Auzerais Avenue and Race Street (APN 264-14-121), all consistent with Council direction.

Council Districts 3, 4, 5, and 6. SNI: Mayfair, 13<sup>th</sup> Street, Burbank/Del Monte, and Washington. (Planning, Building and Code Enforcement)

(Deferred from 8/7/01 – Item 4.3 et al., and 8/21/01 – Item 4.3)

**Resolution No. 70594 adopted.**

## **5 RECREATION & CULTURAL SERVICES**

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

**No Report.**

### **5.2 Acceptance of the Parks and Recreation and Branch Library Bond Oversight Committees' report.**

**Recommendation:** Acceptance of the report on the establishment of the Parks and Recreation and Branch Library Bond Oversight Committees (Measures O and P).

(Library/Parks, Recreation and Neighborhood Services)

**Report Accepted.**

## **6 TRANSPORTATION SERVICES**

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### **6.1 Approval of the Regional Highway Prioritization List and direction to staff to forward the list to the VTA.**

**Recommendation:** Approval of the Regional Highway Prioritization List and direction to staff to forward the list to the Valley Transportation Authority for its Project Study and STIP funding processes. (Transportation)

**Approved.**

## **7 ENVIRONMENTAL & UTILITY SERVICES**

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### **7.1 Approval to reject proposals for services for a Small Multi-Family Dwelling (SmMFD) Ultra-Low Flush Toilet (ULFT) Distribution Program and approval of an agreement to implement the Program.**

**Recommendation:**

(a) Approval of the rejection of all proposals submitted in response to the Request For Proposals (RFP) issued for professional services for a Small Multi-Family Dwelling (SmMFD) Ultra-Low Flush Toilet (ULFT) Distribution Program for FY 2001-2002.

**Approved.**

(b) Approval of an agreement with ExPERT, Inc., negotiated as a sole-source contractor, to implement a SmMFD ULFT Distribution Program to distribute at least 8,600 ULFTs between the period August 28, 2001 to September 10, 2002, for a total amount not to exceed \$1,462,000.

(Environmental Services)

**Approved.**

### **7.2 Approval of various actions related to the San José Municipal Water System.**

**Recommendation:** Approval of amendments to consulting agreements to extend the contract term and increase compensation for services related to the completion of the Request for Proposals for lease and/or operation of the San José Municipal Water System. (City Manager's Office)

(Rules Committee referral 8/22/01)

**Deferred to 09/04/01.**

## 8 AVIATION SERVICES

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### 8.1 Approval of a participation agreement for the acoustical treatment of eligible school structures at the Washington Elementary School.

**Recommendation:** Approval of a School District Participation Agreement with the San José Unified School District to reimburse the District for costs to be incurred by the District for design services, construction administration services, and construction costs for the acoustical treatment of eligible school structures at the Washington Elementary School located in San José, in an amount not to exceed \$1,700,000. CEQA: Resolution No. 67380. SNI: Washington/Guadalupe. (Airport)

**Approved.**

### 8.2 Approval of Taxicab Concession Agreements for Terminals A and C at the San José International Airport.

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute Taxicab Concession Agreements with:

- (a) United Taxicab Corporation (United Cab) for Terminal A on-demand taxicab services at the San José International Airport, with estimated annual revenues to the City of \$471,755, for a term of two years, with five 1-year options to extend the term for a total of up to seven years at the City's sole discretion; and
- (b) Friendly Cab Co. Inc. dba Alpha Cab for Terminal C on-demand taxicab services at the San José International Airport, with estimated annual revenues to the City of \$292,662, for a term of two years, with five 1-year options to extend the term for a total of up to seven years at the City's sole discretion.

(Airport)

(Continued from 8/14/01 – Item 8.1 and 8/21/01 – Item 8.2)

**Resolution No. 70595 adopted. Noes: LeZotte.**

## 9 PUBLIC SAFETY SERVICES

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## 10 JOINT COUNCIL/REDEVELOPMENT AGENCY

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- Closed Session Report
- Notice of City Engineer's Pending Decision on Final Maps  
None filed.

- **Open Forum**

- (1) Pete Campbell spoke on items acted upon by the City Council.
- (2) Gregory Nichols commented on illegally parked police cars.

- **Adjournment**

**Following Open Forum, Council recessed at 4:48 p.m., reconvened at 5:27 p.m. in Joint Session with Redevelopment Agency and again at 7:10 p.m. in General Plan Hearings in Council Chambers, City Hall.**

**The Council of the City of San José adjourned at 8:30 p.m.**