



CITY COUNCIL AGENDA

SEPTEMBER 11, 2001

AMENDED AGENDA

MEETING CANCELED

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, **CANCELED**
See Separate Agenda
- * 1:30 p.m. - Regular Session, **CANCELED**
- * 7:00 p.m. - Evening Session, **CANCELED**

- Invocation (District 8)
Reverend R.G. Moore, III, Pastor of Church On The Rock-Baptist

- Pledge of Allegiance
- Orders of the Day

Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

1 CEREMONIAL ITEMS

2 CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

2.1 Approval of Minutes.

Recommendation: Approval of City Council Minutes for:

- (a) Regular meeting of May 15, 2001
- (b) General Plan meeting of May 15, 2001
- * **DEFERRED TO 9/18/01**

2 CONSENT CALENDAR

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances:

- (a) ORD. NO. 26472 – Amends Section 1.08.020 of Chapter 1.08 of Title 1 of the San José Municipal Code, which lists all infractions, to make technical corrections to the list of infractions.

* **DEFERRED TO 9/18/01**

- (b) ORD. NO. 26476 – Amends 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.

* **DEFERRED TO 9/18/01**

2.3 Approval of various actions related to the San José Fire Bell Replica.

Recommendation:

- (a) Adoption of appropriation ordinance amendments in the General Fund in the amount of \$150,000, for the San José Fire Bell Replica.
- (b) Adoption of a resolution authorizing the City Manager to negotiate and execute design, fabrication, and other implementing agreements, to be installed in Plaza de Cesar Chavez.

CEQA: Exempt. Council District 3. (Conventions, Arts and Entertainment)

* **DEFERRED TO 9/18/01**

2.4 Approval of various actions related to the West Valley Branch Library Project.

Recommendation: Approval of the second amendment to the agreement with Rob Wellington Quigley, FAIA, for architectural services for the West Valley Branch Library Project, extending the agreement term from November 30, 2002 to March 31, 2003, amending the scope of services, and increasing compensation by \$140,000, from \$871,167 to \$1,011,167. Council District 1. (Public Works)

* **DEFERRED TO 9/18/01**

3 STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session Mayor Gonzales, Chair

- (a) May 14, 2001 – Proposed FY 2001-02 Operating Budget

* **DEFERRED TO 9/18/01**

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee Vice Mayor Shirakawa, Jr., Chair

Meeting of August 29, 2001

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
 - (1) Review September 11, 2001 Draft Agenda
 - (2) Add New Items to September 4, 2001 Amended Agenda
- (c) City Council Committees
 - (1) Amendments to Council Committee Agendas
 - (a) Finance and Infrastructure Committee
 - (b) Economic Development and Environment Committee
 - (c) Education, Neighborhoods, Youth, and Seniors Committee
- (d) Meeting Schedules
- (e) The Public Record
- (f) Boards, Commissions and Committees
- (g) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee
- (h) Administrative Reviews and Approval
 - (1) Request by Council Member Chavez to use Council General funds to attend the Congressional Hispanic Caucus Institute 2001 Issues Conference in Washington D. C., September 24-25, 2001.
- (i) Oral communications
- (j) Adjournment

* **DEFERRED TO 9/18/01**

* Meeting of September 5, 2001

- (h) Administrative Review and Approval
 - (1) Approve recommended City positions for League of California Cities resolutions

* **DEFERRED TO 9/18/01**

3.3 Report of the Finance and Infrastructure Committee Council Member Dando, Chair

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

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

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.2 Approval of various actions related to the Vermont Transitional Housing Development.

Recommendation: Adoption of a resolution:

- (a) Approving business terms for an acquisition and permanent loan in an amount not to exceed \$651,300, and a conditional grant of up to \$308,700, to Combined Addicts and Professionals Services, Inc. for the acquisition and permanent financing of two adjacent properties located at 1072 & 1082 Vermont Street for group-home transitional housing for up to 30 individuals with extremely low- and very low incomes.
- (b) Finding that the use of 20% Housing Funds for the project is of benefit to the Redevelopment Project Areas in San José.

Council District 6. (Housing)

* **DEFERRED TO 9/18/01**

4.3 Approval of various actions related to the Reception Center Family Expansion Development.

Recommendation: Adoption of a resolution authorizing the Director of Housing to negotiate and execute business terms for a conditional grant not to exceed \$1,000,000 to Emergency Housing Consortium for the development of 10 units of transitional housing affordable to extremely low-income households, to be constructed on a portion of the parking lot of the existing Reception Center, located at 2011 Little Orchard Street.

Council District 7. (Housing)

* **DEFERRED TO 9/18/01**

4.4 Public Hearing on the reorganization of McKee No. 119.

* **Recommendation:** PUBLIC HEARING and adoption of a resolution authorizing the reorganization of territory designated as McKee No. 119, which involves the annexation to the City of San José of 3.8 acres of land, located on the east side of North White Road, approximately 450 feet northerly of McKee Road, and the detachment of the same from the Central Fire Protection District, County Library Service Area No. 1, and County Lighting Services. CEQA: Exempt. Council District 5. (Planning, Building and Code Enforcement)

* **DEFERRED TO 9/18/01**

5 RECREATION & CULTURAL SERVICES

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

6 TRANSPORTATION SERVICES

6.1 Acceptance of staff's Traffic Calming status report.

Recommendation: Acceptance of staff's Traffic Calming status report.
(Transportation)

* **DEFERRED TO 9/18/01**

7 ENVIRONMENTAL & UTILITY SERVICES

7.1 Approval to submit the Urban Runoff Management Plan Annual Report and certification to the Regional Water Quality Control Board.

Recommendation: Authorization for the submittal of the Urban Runoff Management Plan Annual Report and certification to the Regional Water Quality Control Board in conformance with the City's Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System permit requirements, pursuant to the Federal Clean Water Act. (Environmental Services)
(Deferred from 9/4/01 – Item 7.1)

* **DEFERRED TO 9/18/01**

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

Recommendation:

- (a) Adoption of resolutions authorizing the following with respect to completion of the Request for Proposals process for lease and/or operation of the San José Municipal Water System:
 - (1) Authorizing the City Attorney to negotiate and execute a continuation agreement for legal services with Hawkins, Delafield & Wood to extend the term through December 31, 2001, and to increase compensation by \$115,000, to a total amount not to exceed \$265,000.
 - (2) Authorizing the City Manager to negotiate and execute a continuation agreement for technical services with HDR Engineering, Inc. to extend the term through December 31, 2001, and to increase compensation by \$40,000, to a total amount not to exceed \$290,000.
- (b) Adoption of the following appropriation ordinance amendments in the Water Utility Fund (Fund 515) to:
 - (1) Establish an appropriation in the Water Utility Fund in the amount of \$155,000 for the above consultant services; and
 - (2) Reduce the Water Utility Fund ending fund balance by a corresponding \$155,000.

(City Manager's Office)

(Deferred from 8/28/01 – Item 7.2 and 9/4/01 – Item 9.3)

* **DEFERRED TO 9/18/01**

8 AVIATION SERVICES

8.1 Presentation on the revised San José International Airport Terminal Concept as contained in the Airport Master Plan/Airport Improvement Program.

Recommendation: Presentation on the revised San José International Airport Terminal Concept as contained in the Airport Master Plan/Airport Improvement Program.
(Airport)

* **CANCELED, TO BE RESCHEDULED**

8.2 Presentation on the implications of terminal square footage limitations in the San José Municipal Code for customer services at the San José International Airport.

* **Recommendation:** Presentation on the implications of terminal square footage limitations in the San José Municipal Code for customer services at the San José International Airport. (Airport)

TO BE HEARD SEPTEMBER 12, 2001, 7:00 P.M.
CANCELED, TO BE RESCHEDULED

9 PUBLIC SAFETY SERVICES

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

- Closed Session Report
- Notice of City Engineer's Pending Decision on Final Maps
In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/ Units</u>	<u>Type</u>	<u>Proposed Decision</u>
9344	W/s of San Felipe, S/o Yerba Buena	8	Pulte Homes	32 units	SFDR	Approve
* 9352	N/s of Hillsdale Ave, opposite Vista Park Dr.	7	KB Home South Bay	83 lots 144 units	Multi- Family	Withdrawn
9358	N/s of Curtner Ave, E/o Salerno Dr.	9	DKB Homes	14 lots	SFDR 12 units	Approve

- Open Forum—To be heard jointly with Redevelopment Agency Public Discussion. Following Open Forum, Council will recess until 7:00 p.m.
- Adjournment