

CITY COUNCIL AGENDA

SEPTEMBER 3, 2002

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. Public Hearings, Council Chambers, City Hall**
Absent Council Members: None.
 - 7:00 p.m. General Plan Hearings, Council Chambers, City Hall**
Absent Council Members: None.
- **Invocation (District 8)**
Pastor R.G. Moore - Church On The Rock delivered the invocation.
- **Pledge of Allegiance**
Mayor Gonzales led in the Pledge of Allegiance.
- **Orders of the Day**
Approved.
Item 1.5 was dropped.

1 CEREMONIAL ITEMS

- 1.1 Presentation of plaques to Jay Anne Benton for 4 years service on the Disability Advisory Commission, to Charlotte Howard for 4 years 7 months service on the Disability Advisory Commission, to Lila Kraai for 5 years service on the Disability Advisory Commission, to Richard Patterson for 4 years service on the Disability Advisory Commission, to Ernest Guzman for 4 years service on the Library Commission, to Michael Leung for 4 years 7 months service on the Library Commission, to Frederic Begun for 4 years 7 months service on the Parks and Recreation Commission, to Garry Cheney for 4 years service on the Parks and Recreation Commission, to John Guisto for 3 years 7 months service on the Parks and Recreation Commission, to Margaret Hardy for 4 years service on the Senior Citizens Commission, to Elva Jones for years service on the Senior Citizens Commission, to Lee Ann McClenahan for 4 years service on the Senior Citizens Commission, to Patricia Moriarty for 5 years service on the Senior Citizens Commission, to Surjit Bains for 4 years service on the Traffic Appeals Commission, and to Andrew Sanford for 2 years service on the Traffic Appeals Commission. (Mayor)
Mayor Gonzales presented the plaques to the commissioners who were present. Plaques will be mailed to commissioners who were not present.
- 1.2 Presentation of a commendation to Mr. Bryan Hauptman for his heroism in rescuing Mr. Bobby Yount. (Dando/Mayor)
**This Item was heard in the evening.
Council Member Dando joined Mayor Gonzales at the podium to commend Mr. Bryan Hauptman for saving the life of Mr. Bobby Yount.**
- 1.3 Presentation of a commendation to Speed City Track Club for a successful season. (Mayor)
**This Item was heard in the evening.
Mayor Gonzales invited the Coach of Speed City Track Club Cliff Scott to the podium to receive the commendation for a successful season and invited all the athletes to the podium for a photo.**
- 1.4 Presentation of a commendation to Joy of Dancing for 25 years of dance in the community. (Reed)
Council Member Reed joined Mayor Gonzales at the podium to present the commendation to Joy Sinnott for her dedication to the dance in the community.
- 1.5 Presentation of a commendation to Van Le, Chris Hagopian, and Rachel Wang of Sierramont Middle School for winning 1st, 2nd, and 3rd place in the School is Cool Poster Contest sponsored by Junior Achievement and the Sharks Foundation. (Reed)
Dropped.

1 CEREMONIAL ITEMS

- 1.6 Recognition of the Mayor’s Gang Prevention Task Force’s receipt of the “Frederick Milton Thrasher Award” for the exemplary program for gang prevention and intervention from the National Gang Crime Research Center. (Mayor)
(Rules Committee referral 8/28/02)
Joining Mayor Gonzales at the podium were Chief William Lansdowne and Lt. Richard Saito of the San Jose Police Department, Neil Rufino from Parks, Recreation and Neighborhood Services, Mark Buller of the District Attorney’s Office, Harold MacLean of the Santa Clara County Probation Department, Conrad Solaris from California Youth Outreach and Buu Thai from Catholic Charities of the Mayor’s Gang Prevention Task Force to receive the “Frederick Milton Thrasher Award” for the exemplary program for gang prevention and intervention from the Gang Crime Research Center.
- 1.7 Presentation of a commendation to Santa Clara/San José Water Pollution Control Plant for their outstanding implementation of the San José Smart Energy Plan. (Mayor)
(Rules Committee referral 8/28/02)
Mayor Gonzales presented Carl Mosher with the commendation for the implementation of the San Jose Smart Energy Plan. Fran McVey was not in attendance but was also recognized.
- 1.8 Presentation of a commendation to Cortez Rangel for assisting in saving the life of a four-year old girl. (Mayor)
(Rules Committee referral 8/28/02)
**This Item was heard in the evening.
Joining Mayor Gonzales at the podium were Cortez Rangel and his mother Marie Rangel to receive the commendation for saving the life of a four-year old girl.**
- 1.9 Presentation of a commendation to Rachel Stone, a graduate of Notre Dame High School, who has served as a Youth Commissioner for District 2. (Williams)
(Rules Committee referral 8/28/02)
Joining Mayor Gonzales at the podium was Council Member Williams to present Rachel Stone with the commendation for her outstanding service as Youth Commissioner.

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.**
None.

2 CONSENT CALENDAR

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances:

- (a) ORD. NO. 26709 – Amends Section 23.04.020 of Chapter 23.04 of Title 23 of the San José Municipal Code to include regulations of skyline signs and roof signs within the area bounded by US Highway 101, Interstates 237 and 880, and the Guadalupe River and to make additional minor modifications.

Deferred to September 17, 2002.

- (b) ORD. NO. 26710 – Amends and restates Chapter 17.72 of Title 17 of the San José Municipal Code, Property Blight, in order to reorganize the Chapter, to make clarifying changes, to specify landscaping requirements for single family dwellings and parkstrips, to modify landscaping requirements for multifamily dwellings, to specify storage requirements for certain items in residential zones, and to change the title of the chapter to “Community Preservation.”

Ordinance No. 26710 adopted.

- (c) ORD. NO. 26711 – Amends Section 20.30.430 of Chapter 20.30 of Title 20 of the San José Municipal Code to amend the provisions related to parking and storage of trailers and recreational vehicles in the front setback of residentially-zoned properties.

Ordinance No. 26711 adopted.

- (d) ORD. NO. 26712 – Amends Section 20.10.080 of Chapter 20.10 and adds a new Section 20.20.230 to Chapter 20.20, all of Title 20 of the San José Municipal Code, to add a setback exception to the A-Agriculture and OS-Open Space Zoning Districts under certain conditions and to add a provision that designates properties in the City with no specific zoning designation as A-Agriculture.

Ordinance No. 26712 adopted.

- (e) ORD. NO. 26713 – Rezones certain real property situated on the east side of Curtiss Avenue, approximately 500 feet south of Willow Street. PDC 01-08-084

Ordinance No. 26713 adopted.

Recommendation: Final adoption of ordinances:

- (f) ORD. NO. 26714 - Rezones certain real property situated on the west side of Boynton Avenue, approximately 400 feet southerly of Stevens Creek Boulevard (339 Boynton Avenue). PDC 02-028

Ordinance No. 26714 adopted.

2 CONSENT CALENDAR

2.2 Final adoption of ordinances. (Cont'd)

- (g) ORD. NO. 26715 - Rezones certain real property situated on the north side of Story Road, approximately 1,150 feet easterly of South White Road (14271 Story Road). PDC 01-086
Ordinance No. 26715 adopted.
- (h) ORD. NO. 26716 - Rezones certain real property situated on the south side of Shortridge Avenue, approximately 330 feet west of S. Thirtieth Street. C 02-041
Ordinance No. 26716 adopted.
- (i) ORD. NO. 26717 - Rezones certain real property situated on the southwestern corner of Canoas Garden Avenue and Almaden Expressway. C 02-052
Ordinance No. 26717 adopted.
- (j) ORD. NO. 26718 - Rezones certain real property situated on the westerly side of Stockton Avenue between Cinnabar Street and Lenzen Avenue. PDCSH 01-03-038
Ordinance No. 26718 adopted.
- (k) ORD. NO. 26719 - Rezones certain real property situated on the northeast corner of Keyes and S. Tenth Streets. PDC 01-10-095
Ordinance No. 26719 adopted.

2.3 Approval of various fiscal actions for 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 Alameda Sidewalk Replacement Project with a net impact to the fund of \$102,605. CEQA: Not a Project. Council District 6. (City Manager's Office)

Ordinance No. 26725 adopted.
Resolution No. 71188 adopted.

2.4 Approval to amend the Fire Department FY 2002-2003 Adopted Fees and Charges.

Recommendation: Adoption of a resolution amending the FY 2002-03 Schedule of Fees and Charges to make technical corrections to the Fire Department fees. CEQA: Not a Project. (City Manager's Office)

Resolution No. 71189 adopted.

2 CONSENT CALENDAR

2.5 Approval of an appropriation ordinance amendment in the Library Construction and Conveyance Tax Fund for the Branch Library Bond Project.

Recommendation: Adoption of an appropriation ordinance amendment in the Library Construction and Conveyance Tax Fund for the Branch Library Bond Project with a net impact to the fund of \$89,000. CEQA: Not a Project. (City Manager's Office)

Ordinance No. 26726 adopted.

2.6 Approval of City Manager's Travel.

Recommendation: Approval of City Manager Del Borgsdorf's travel to Austin, Texas, from September 18-19, 2002, to attend a Governing Magazine Conference, to lead a City team to do presentations on employee involvement and community security. CEQA: Not a Project. (City Manager's Office)

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 2002-2003 #4, and authorization for the Director of General Services to execute the purchase orders. CEQA: Exempt, PP02-08-230. (General Services)

Approved.

2.8 Approval to accept a donation from the Friends of the Willow Glen Library.

Recommendation: Adoption of a resolution accepting \$6,000 in donations from the Friends of the Willow Glen Library for the acquisition of materials. CEQA: Not a Project. (Library)

Resolution No. 71190 adopted.

2.9 Approval to set a public hearing and to vacate a 20-foot Public Service Easement.

Recommendation: Adoption of a resolution to vacate the 20-foot Public Service Easement on the easterly side of Lots 1, 2, 3, 4, and 5 of Tract 9357 and setting a public hearing on September 24, 2002 at 1:30 p.m. CEQA: Exempt. Council District 8. (Public Works)

Resolution No. 71191 adopted.

2 CONSENT CALENDAR

2.10 Approval of an agreement for the Blossom Hill Branch Library Project.

Recommendation: Approval of an agreement with the San José Water Company for installation of water facilities to serve the new Blossom Hill Branch Library Project for the period August 20, 2002 to January 31, 2004 in an amount not to exceed \$109,197.

CEQA: Exempt, H01-12-081. Council District 10. (Public Works)

Approved.

2.11 Approval of an agreement for the maintenance of the proposed Bailey Avenue/Route 101 Interchange.

Recommendation: Approval of the Freeway Maintenance Agreement with the State of California providing for the maintenance of the proposed Bailey Avenue/Route 101 Interchange.

CEQA: Resolution No. 68705. Council District 2. (Public Works)

(Deferred from 8/13/02 – Item 2.9 et al., and 8/27/02 – Item 2.11)

Deferred to September 17, 2002.

2.12 Approval to amend the Joint Use Agreement for the Gregory Street Bridge.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute an amendment to the Joint Use with the Santa Clara Valley Water District for the Gregory Street Bridge to make the agreement non-revocable and to place responsibility on the City to pay for replacement of the City's improvements in the event they are destroyed for flood control purposes. (Parks, Recreation and Neighborhood Services)

(Rules Committee referral 8/28/02)

Resolution No. 71192 adopted.

3 STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session

Mayor Gonzales, Chair

No Report.

3.2 Report of the Rules Committee – August 21, 2002

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.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – August 21, 2002 (Cont'd)

- (b) City Council
 - (1) Review September 3, 2002 Draft Agenda
The Committee recommended approval of the September 3, 2002 Council agenda with four additions.
 - (2) Add New Items to August 27, 2002 Amended Agenda
The Committee recommended one addition and dropped one item from the August 27, 2002 Council agenda.
 - (3) Review September 3, 2002 General Plan Hearing Agenda
The Committee recommended approval of the September 3, 2002 General Plan Hearing agenda.
- (c) City Council Committees
 - (1) Amendments to Council Committee Agendas
 - (a) Finance and Infrastructure Committee
None Filed.
 - (b) Economic Development and Environment Committee
The Committee recommended an addition to the September 9, 2002 agenda entitled, “Approval of various actions related to the Mayfair Neighborhood Acquisition/Rehabilitation Pilot Program”
 - (c) Education, Neighborhoods, Youth, and Seniors Committee
None Filed.
- (d) Meeting Schedules
The Committee recommended a Study Session on Thursday, September 26, 2002, 11 a.m. – 1 p.m. to discuss “Tunneling of BART to San Jose.”
- (e) The Public Record
The Committee noted and filed the Public Record.
- (f) Boards, Commissions and Committees
There were none.
- (g) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee
There were none.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – August 21, 2002 (Cont'd)

- (h) Administrative Reviews and Approval
 - (1) Workload assessment to review Black Chamber of Commerce's City funded programs
City Auditor Jerry Silva stated he would update the Committee as his staff proceeds with its review of the Black Chamber of Commerce's City funded programs.
- (i) Oral communications
None were presented.
- (j) Adjournment
The meeting adjourned at 2:20 P.M.

The Rules Committee Report and actions of August 21, 2002 were accepted.

3.3 Report of the Finance and Infrastructure Committee

Council Member Dando, Chair

No Report.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.1 Report of the Economic Development & Environment Committee

Council Member Williams, Chair

No Report.

4.2 Public Hearing on a condominium development on land located at 2191 Alum Rock Avenue.

Recommendation:

- (a) Adoption of a resolution by the City Council approving the sale of the project site (located at 2191 Alum Rock Avenue) to Ketzal Community Development Corporation (Ketzal), accepting the 33433 Summary Report and Re-Use Valuation, and finding that the sale of the property will provide housing for low-income persons, is consistent with the Implementation Plan for the San José Merged Redevelopment Project Area and that the consideration for the property is not less than the fair reuse value for the proposed use, with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA).

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.2 Public Hearing on a condominium development on land located at 2191 Alum Rock Avenue. (Cont'd)

Recommendation:

- (b) Adoption of a resolution by the City Council and Agency Board approving the DDA between the City of San José, the Redevelopment Agency, and Ketzal for the development of a for-sale affordable housing project to be located at 2191 Alum Rock Road, and authorizing the City Manager and the Executive Director to negotiate and execute amendments to the DDA as may be reasonably required by the Developer's lender, and authorizing the City Manager to convey the property to Ketzal once the conditions of conveyance have been met.

(Housing)

See Item 10.1 for Council action taken.

4.3 Approval of various actions related to the Almaden Family Apartments.

Recommendation: Adoption of a resolution:

- (a) Approving a loan of up to \$8,950,000 and a conditional grant of up to \$5,290,000 to Almaden Family Housing Partners, L. P., or its designated partnership, for the development of the Almaden Family Apartments, a 225-unit family rental development located at 1525-1541 Almaden Road.
- (b) Finding that the use of redevelopment funds for the project is of benefit to the Redevelopment Project Areas in San José. CEQA: Negative Declaration, PDC98-089. Council District 7.

(Housing)

Deferred to September 24, 2002.

4.4 Approval of various actions related to the purchase of a parcel of land for the development of affordable housing.

Recommendation: Adoption of a resolution:

- (a) Authorizing the Director of Housing to negotiate and execute an agreement for the purchase of a 4.99-acre parcel located on the east side of Evans Lane, approximately 800 feet northerly of Curtner Avenue for \$8,550,000 from the Valley Transportation Authority for the development of affordable housing.
- (b) Finding that the use of redevelopment funds for the purchase of the property is of benefit to the Redevelopment Project Areas in San José. CEQA: Exempt, PP02-08-228. Council District 6.

(Housing)

Resolution No. 71193 adopted.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.5 Approval of the 2002-07 Five-Year Housing Investment Plan.

Recommendation: Adoption of a resolution approving the 2002-07 Five-Year Housing Investment Plan. CEQA: Not a Project. (Housing)

This Item was heard in the evening.

See General Plan Agenda Item 2.10(c) for Council action taken.

5 RECREATION & CULTURAL SERVICES

5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee – August 19, 2002

Council Member Chavez, Chair

(a) Youth Commission Monthly Report

The Committee accepted the report.

(b) Update Report from the Airport Ombudsman and Noise Monitoring Center
The Committee accepted the report with the following directives to staff:

- **Report in November has the following information:**
 - **Overall view of what happens to screeners, both those retained and those not, including data on other agencies and resources that are assisting.**
 - **If the Federal Law states it must be demonstrated why a person was not hired, when they are already qualified to do the job.**
 - **Timeframe of when negotiations will begin to revise contract language with air carriers.**
 - **Strategies to tag curfew hours onto contracts.**
 - **Number of flights that show take-off times earlier than 6:30.**
- **One sheet document to Counsel offices with numbers to call for “screener” inquires.**
- **Attorney’s office to advise if the subject of negotiations with airlines can be a Closed Session item.**
- **Ralph Tonseth, Director of Aviation, to attend November 18 ENYS Committee meeting to discuss posted flight schedules.**

(c) Quarterly Report on new Martin Luther King, Jr. Library
The Committee accepted the report.

5 RECREATION & CULTURAL SERVICES

5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee – August 19, 2002. (Cont'd)

- (d) Status Report on Citywide Trail Projects
- The October report to the ENYS Committee include the following:
 - Standards for maintenance of trails. Compare County's with City's.
 - Citywide Trail map showing placement of rangers.
 - Status of installation of signage on trails indicating, i.e., pedestrians stay to the right, motorized vehicles to the left.
 - Comparison between City and County Park Ranger job descriptions, as well as pay scale for the position.
 - Telephone number for citizens to call with concerns/complaints and a strategy for mass distribution of this number.
 - Status of hour change at Almaden Lake Park to open at 6:00 a.m. for users of the Los Alamitos and Guadalupe Creek Trail.
 - Department of Transportation to give a status report/timeline to the September 16 ENYS Committee of when system-wide directional signage on trails will be completed.
- (e) Oral petitions
None.
- (f) Adjournment
The meeting was adjourned at 2:45 p.m.

The Education, Neighborhoods, Youth and Seniors Committee report and actions of August 19, 2002 were accepted.

5.2 Final Public Hearing on the formation of Community Facilities District No. 8 (Communications Hill).

Recommendation: Final Public Hearing and approval of the following actions related to the formation of Community Facilities District No. 8 (Communications Hill):

- (a) Adoption of a resolution for each of the following items to:
- (1) Form Community Facilities District No. 8 and authorize the levy of a special tax.
Resolution No. 71194 adopted.
 - (2) Call for a special election for Community Facilities District No. 8.
Resolution No. 71195 adopted.

5 RECREATION & CULTURAL SERVICES

5.2 Final Public Hearing on the formation of Community Facilities District No. 8 (Communications Hill)(Cont'd).

Recommendation: Final Public Hearing and approval of the following actions related to the formation of Community Facilities District No. 8 (Communications Hill):

- (a) Adoption of a resolution for each of the following items to:
 - (3) Declare the results of the special election; and if approved, direct the recording of the notice of the special tax lien for the District.

Resolution No. 71196 adopted.

- (b) Approval of an ordinance imposing the levy of special taxes within Communities Facilities District No. 8.

Council District 7. CEQA: Not a project. (Public Works)
(Deferred from 8/20/02 – Item 5.5)

Ordinance No. 26727 adopted.

6 TRANSPORTATION SERVICES

7 ENVIRONMENTAL & UTILITY SERVICES

7.1 Approval of the Urban Runoff Management Plan Annual Report.

Recommendation: Authorization to submit 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 (NPDES) permit requirements, pursuant to the Federal Clean Water Act by the September 15, 2002 due date. (Environmental Services)

(Deferred from 8/27/02 – Item 7.3)

Approved.

Direction to staff to include the amendment contained in Council Member Yeager's memorandum dated September 3, 2002.

8 AVIATION SERVICES

8.1 Approval of the City's response to the 2001-2002 Santa Clara County Civil Grand Jury's report.

Recommendation: Approval of the City's response to the 2001-2002 Santa Clara County Civil Grand Jury's report entitled "Review of Customer Service at Norman Y. Mineta San José International Airport." CEQA: Not a Project. (Airport)

Approved.

9 PUBLIC SAFETY SERVICES

9.1 Approval of a contract for the Heating, Ventilation & Air Conditioning Fire Stations 3, 5, and 10 Project.

Recommendation: Report on bids and award of contract for the Heating, Ventilation & Air Conditioning Fire Stations 3, 5, and 10 Project to the lowest responsive bidder, Chegwin Construction, Inc., in the amount of \$598,000, and approval of a contingency in the amount of \$60,000. CEQA: Exempt, PP02-06-149. (Public Works)

Approved.

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

REDEVELOPMENT AGENCY BOARD CONVENED AT 2:10 P.M. TO CONSIDER ITEM 10.1 IN A JOINT SESSION.

10.1 Public Hearing on a condominium development on land located at 2191 Alum Rock Avenue.

Recommendation:

- (a) Adoption of a resolution by the City Council approving the sale of the project site (located at 2191 Alum Rock Avenue) to Ketzal Community Development Corporation (Ketzal), accepting the 33433 Summary Report and Re-Use Valuation, and finding that the sale of the property will provide housing for low-income persons, is consistent with the Implementation Plan for the San José Merged Redevelopment Project Area and that the consideration for the property is not less than the fair reuse value for the proposed use, with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA).

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

10.1 Public Hearing on a condominium development on land located at 2191 Alum Rock Avenue. (Cont'd)

Recommendation:

- (b) Adoption of a resolution by the City Council and Agency Board approving the DDA between the City of San José, the Redevelopment Agency, and Ketzal for the development of a for-sale affordable housing project to be located at 2191 Alum Rock Road, and authorizing the City Manager and the Executive Director to negotiate and execute amendments to the DDA as may be reasonably required by the Developer's lender, and authorizing the City Manager to convey the property to Ketzal once the conditions of conveyance have been met.

(Housing)

This Item renumbered from Item No. 4.2.

Continued to September 10, 2002.

**REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING
ADJOURNED AT 2:11 P.M.**

- **Closed Session Report**
None.

- **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>
9165	E/s of US 101 1000 feet n/o Hellyer Ave	8	William Lyon	65 units	MFA	Approve
9422	NE/c Capitol Exwy & Vista Park	7	Pinn Brothers	357 units	MFA	Approve

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:

<u>Tract</u>	<u>Location</u>	<u>Council District</u>	<u>Developer</u>	<u>Lots/Units</u>	<u>Type</u>
9447	E/s Narvaez Ave 190 feet n/o Almaden Dr	10	DKB Homes	5 units	Single Family Detached

- **Open Forum**
 1. **Charles Agnew, James Sears, Rogelio Lozoya, Alice Ogisikara, Ken Ragge, Tara Koch, Jennifer Vien, Rose McFarland, Rhonda Johnson and Gregory Colburn commented on card room jobs.**
 2. **Marc Boyd commented on airport quiet zones.**

The San Jose City Council recessed at 2:40 p.m. and reconvened at 7:05 p.m. in Council Chambers.

11 PUBLIC HEARINGS

11.1 Public Hearing on a street renaming.

Recommendation: PUBLIC HEARING ON STREET RENAMING of a proposed frontage road running parallel to the east of State Highway 87, between the northerly line of West Hedding Street and southerly line of Coleman Avenue to Guadalupe Road. CEQA: Exempt. Historical Landmarks Commission and Director of Planning, Building and Code Enforcement recommend renaming to El Pueblo Viejo. Planning Commission recommends renaming to Guadalupe Parkway Frontage Road (7-0-0).

District 3

(Continued from 12/4/01 – Item 11.1 et al., and 8/20/02 – Item 11.1)

This Item was continued to September 17, 2002.

11.2 Public Hearing on planned development rezoning of Cypress and Adra Avenues.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the northeast corner of Cypress Avenue and Adra Avenue, from R-M Residence Zoning District to A(PD) Planned Development Zoning District, to allow demolition of an existing single-family detached house and construction of up to four single-family detached houses. (Emily Chen, Owner/Developer). CEQA: Exempt. Director of Planning, Building, and Code Enforcement and Planning Commission recommend approval (6-0-1).

PDC 02-039 - District 1

Ordinance No. 26728 passed for publication.

- Open Forum

- Adjournment

The Council of the City of San Jose adjourned at 7:19 p.m. to a General Plan hearing.