



# Memorandum

**TO:** Honorable Mayor &  
City Council Members

**FROM:** Lee Price  
MMC, City Clerk

**SUBJECT:** The Public Record  
July 26 – August 1, 2006

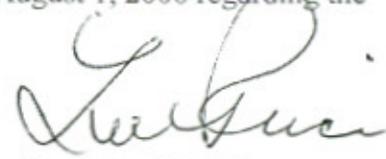
**DATE:** August 1, 2006

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## ITEMS TRANSMITTED TO THE ADMINISTRATION

### ITEMS FILED FOR THE PUBLIC RECORD

- (a) Notification letter from Sprint Nextel to David Rowland dated June 21, 2006 regarding CA2472 Hwy 237/Zanker Road to modify an existing Sprint wireless facility by adding two additional 8 foot antennas.
- (b) Email from Joyce Wilson to City Clerk Lee Price dated July 18, 2006 regarding Coyote Valley Proposal.
- (c) Email from Lonore Robinson to City Clerk Lee Price dated July 26, 2006 regarding Review of Santa Clara Valley Water Districts Draft Five-year Capitol Improvement Plan.
- (d) Email from Rebecca Elliot to City Clerk Lee Price dated August 1, 2006 regarding the Peninsula Division Newsletter, August 2006.



Lee Price, MMC  
City Clerk

LP/np

Distribution: Mayor/Council  
City Manager  
Assistant City Manager  
Assistant to City Manager  
Council Liaison  
Director of Planning  
City Attorney  
City Auditor  
Director of Public Works  
Director of Finance  
Public Information Officer  
San Jose Mercury News  
Library



Sprint Nextel  
1255 Treat Boulevard  
Walnut Creek, CA 94597  
Office: (925) 279-2300 Fax: (925) 279-2683

Public Record  
a

NOTIFICATION LETTER

2006 JUL 26 A 8:42

2006 JUL 24 P 3:35  
RECEIVED  
CITY MANAGER

Consumer Services Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
Attn: David Rowland

June 21, 2006

RE: CA2472 Hwy 237/Zanker Road

This is to provide the Commission with the notice pursuant to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") that:

(a)  The cellular company has obtained all requisite land use approval for the project described in Attachment A.

**FIXED WIRELESS** – Providing wireless telecommunication service ONLY

(b)  That no land use approval is required because \_\_\_\_\_

(c)  Abandoned Site

Modification

Revised/Corrected Letter

A copy of this notification letter is also being provided to the appropriate local governmental agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact me, Joni Norman, Manager, Site Development for the Bay Area Market of Sprint/ Nextel of California, Inc. at (925) 279-2478.

Very truly yours,

Joni Norman

Attachment

cc: City of San Jose  
200 East Santa Clara Street  
San Jose, CA 95113  
Attn: City Manager

cc: City Clerk, Board of Supervisors  
200 East Santa Clara Street  
San Jose, CA 95113

cc: City of San Jose  
Department of Planning, Building Code  
200 East Santa Clara Street  
San Jose, CA 95113

# ATTACHMENT A

## 1. Project Location: NEW BUILD

Site Name & Number: CA 2472/Highway 237/Zanker Road

Site Address: 3990 Zanker Road

Location: San Jose, CA

County: Santa Clara

Assessor Parcel Number: 097-04-037

Latitude: 37° 25' 11.44" N

Longitude: 121° 56' 00.017" W

## 2. Project Description:

Number of Antennae to be installed: Two panel antennas

Tower Design: Light Standard.

Tower Appearance (see typical utility pole installation): Light Standard with two eight foot panel antennas.

Tower Height:

A) (Structure Height – ground to top of structure): 76 Feet.

B) (Top of Antenna Height – ground to top of antenna): 76 Feet.

Building Size(s): 8' W X 11'L X 8'H equipment cabinet

## 3. Business addresses of all Local Government Agencies:

- a. City of San Jose  
Department of Planning, Building and Code Enforcement  
200 East Santa Clara Street  
San Jose, CA 95113

4. **Land Use Approval:** On May 9, 2006 **Sprint Nextel** obtained land use approval from the City of San Jose for a Permit Adjustment to permit # AD03-861 to modify an existing Sprint wireless facility by adding two additional 8 foot antennas.

A T M W J D W

Public Record  
b

**Pimentel, Nora**

**From:** Price, Lee  
**Sent:** Tuesday, August 01, 2006 9:55 AM  
**To:** Pimentel, Nora  
**Subject:** FW: COYOTE VALLEY PROPOSAL

public record

**From:** City Clerk  
**Sent:** Monday, July 24, 2006 4:14 PM  
**To:** Price, Lee  
**Subject:** FW: COYOTE VALLEY PROPOSAL

**From:** Joyce Wilson [mailto:tmwjdw@sprintmail.com]  
**Sent:** Tuesday, July 18, 2006 2:49 PM  
**To:** CITYCLERK@SANJOSECA.GOV  
**Subject:** COYOTE VALLEY PROPOSAL

Dear Mayor Gonzales and Council Members,

I urge you to follow through on your commitment to a specific plan for Coyote Valley that provides maximum environmental protection. According to the Fiscal Impact Analysis, it is not a good investment for the City. The City of San Jose should not mortgage the rest of the City for that area. The City should focus on revitalizing existing neighborhoods and promote infill of existing developed areas.

Joyce Wilson  
753 Bend Ave.  
San Jose, CA 95136-1802

Public Record  
C**Pimentel, Nora**

**From:** Price, Lee  
**Sent:** Tuesday, August 01, 2006 10:07 AM  
**To:** Pimentel, Nora  
**Subject:** FW: Review of Santa Clara Valley Water District's Draft Five-Year Capital Improvement Plan  
**Importance:** High

public record

**From:** City Clerk  
**Sent:** Wednesday, July 26, 2006 9:20 AM  
**To:** Price, Lee  
**Subject:** FW: Review of Santa Clara Valley Water District's Draft Five-Year Capital Improvement Plan  
**Importance:** High

**From:** Lonore Robinson [mailto:LRobinson@valleywater.org]  
**Sent:** Wednesday, July 26, 2006 9:11 AM  
**To:** cityclerk@cityofcampbell.com; cityclerk@cupertino.org; rpellin@ci.gilroy.ca.us; administration@ci.los-altos.ca.us; jhooi@losaltoshills.ca.gov; clerk@losgatosca.gov; hcuciz@ci.milpitas.ca.gov; general@ch.morgan-hill.ca.gov; city.clerk@ci.mtnview.ca.us; pwd@CityofPaloAlto.org; city\_clerk@city.palo-alto.ca.us; cityclerk@sanjoseca.gov; Planning@ci.santa-clara.ca.us; Engineering@ci.santa-clara.ca.us; jcherbone@saratoga.ca.us; johnl@saratoga.ca.us; pubworks@ci.sunnyvale.ca.us; planning@ci.sunnyvale.ca.us  
**Subject:** Review of Santa Clara Valley Water District's Draft Five-Year Capital Improvement Plan  
**Importance:** High

### Public Works and Planning Directors

Please join David Chesterman, the Acting Deputy Operating Office – Capital Program Services of the Santa Clara Valley Water District, for a review of the District's Draft Five-Year Capital Improvement Plan (CIP). An agenda will be distributed prior to the meeting. Meetings will be held in one hour increments.

**WHAT:** Review the District's five-year CIP

**WHEN:** Please choose a convenient date from those listed below

**Location:** A conference room in your facility (To make this experience more convenient for you)

**WHY:** The District has prepared its first formal CIP and would like an opportunity to review it with you prior to the public hearing. The draft 2006-2011 CIP was sent to your City for review and comment on July 19, 2006.

Date	Available Time
Thursday, August 03, 2006	2 p.m. to 5 p.m.
Friday, August 04, 2006	3:30 p.m. to 5 p.m.
Monday, August 07, 2006	8 a.m. to 10:30 a.m.

8/4/2006

Wednesday, August 09, 2006	10:30 a.m. to 12 p.m.
Thursday, August 10, 2006	8 a.m. to 12 p.m. 1 p.m. to 2:30 p.m.
Monday, August 14, 2006	8 a.m. to 10 a.m.
Tuesday, August 15, 2006	1:30 p.m. to 2:30 p.m.
Thursday, August 17, 2006	2 p.m. to 5 p.m.
Friday, August 18, 2006	8 a.m. to 9 a.m. 2 p.m. to 5 p.m.
Monday, August 21, 2006	8 a.m. to 9 a.m. 1:30 p.m. to 2:30 p.m.
Wednesday, August 23, 2006	3:30 p.m. to 5 p.m.
Thursday, August 24, 2006	8 a.m. to 11 a.m. 2 p.m. to 5 p.m.
Friday, August 25, 2006	2 p.m. to 5 p.m.
Tuesday, August 29, 2006	10 a.m. to 12 p.m. 2 p.m. to 5 p.m.
Thursday, August 31, 2006	2 p.m. to 5 p.m.

If the dates listed are not convenient for you, please contact me at the number listed below to make other arrangements. Also, if you have any questions regarding the logistics of these meetings, please contact me.

Lonore Robinson  
 Administrative Assistant  
 Capital Program Services Division  
 (408)265-2607 x3113

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**From:** Rebecca Elliot [mailto:relliot@cacities.org]  
**Sent:** Tuesday, August 01, 2006 1:26 PM  
**To:** Rebecca Elliot  
**Subject:** Peninsula Division Newsletter, August 2006

**PENINSULA DIVISION NEWSLETTER**  
**August 2006**

**Hot Issues:**                    **AB 2987** – Telecommunications Legislation  
**Prop 90** – The Taxpayer Trap  
CaliforniaCityFinance.com updates  
Ballot initiatives information/analysis

**Division News:**            Bylaws adopted

**Division breakfast at annual conference – rsvp today!**

**HOT ISSUES:**

**Telecommunications:** The state legislature reconvenes from summer recess on August 7<sup>th</sup>, with the session ending on August 31<sup>st</sup>.

A sub-committee met during July to hammer out amendments to the telecom bill, AB 2987 (Nunez/Levine) which is scheduled to be heard by the Senate Appropriations Committee on August 14<sup>th</sup>. From there, the bill heads to the Senate floor and, if it's passed, back to the Assembly. At that point no other amendments can be taken. The Assembly can vote to "concur" with the changes, or to not accept them.

The amendments are not in written form and, until they are, I prefer not to comment on what "could" be. Rest assured, that League staff is continuing to work with the committee and bill's authors on crafting a bill that is fair to all.

Last month, several Division members traveled to Sacramento to testify against AB 2987. Take a look at the great photo of your Division representatives in the Capitol, [http://www.cacities.org/index.jsp?displaytype=&section=about&zone=locc&sub\\_sec=about\\_region&tert=about\\_region\\_pen](http://www.cacities.org/index.jsp?displaytype=&section=about&zone=locc&sub_sec=about_region&tert=about_region_pen)

**Action:** I'll send out an email as soon as the amendments are available in print, as well as let you know the hearing date and time.

**Eminent Domain:** Last week, at the League's Executive Forum in Monterey, we received a most important update on Prop 90, aka...*The Taxpayer Trap*. This draconian measure will have an adverse impact on all of us – taxpayers, businesses, non-profits, government. The Coalition to Protect California hired the firm of Nielsen, Merksamer, Parrinello, Mueller and Naylor to review Prop 90.

In essence, the report (you can read the full report by clicking on the *Taxpayer Impacts* link on the

Coalition's website, [www.noprop90.com](http://www.noprop90.com)) said:

*While proponents are highlighting the provisions restricting eminent domain, this measure goes far beyond eminent domain reform to include provisions that would require increased payments by government agencies – and thus taxpayers – for common public works and infrastructure development such as schools, roads, utility infrastructure and levees, to name a few. It also contains new and far-reaching “regulatory takings” provisions that would require new and increased payments any time a state or local agency, or group of voters, enacts a new law or regulation that impacts the value of property.*

*The initial summary of the fiscal impact on state and local governments prepared by the Legislative Analyst and Director of Finance indicate the measure will result in “potentially significant major future costs for state and local governments to pay damages and/or modify regulatory or other policies to conform to the measure’s provision” and “potentially major changes in government costs to acquire property for public purposes”.*

*Combined, it is not unrealistic to predict that these new provisions would increase government costs and costs to taxpayers by billions of dollars annually.*

**Action:** The above referenced report was produced without using public resources. Remember, you cannot distribute advocacy information on Prop 90 using public computers, time, or resources. If in doubt, check with me before sending anything about this issue from your city hall computer. By the way, this also means you cannot access your personal email account from your city hall computer and email advocacy information about Prop 90.

And, as we are now in “campaign mode” I can only send updates to personal email addresses. Please send your personal email address to me today – if I’ve already got it there is no need to send it again.

**CaliforniaCityFinance.com:** The following updates are now available from Michael Coleman’s CaliforniaCityFinance.com, [www.californiacityfinance.com](http://www.californiacityfinance.com):

- Revenue Histories of cities. Updated with the recently released FY03-04 figures from the State Controller. Summaries of general revenues, sales tax, property tax, property transfer tax, TOT, BLT, and more. <http://www.californiacityfinance.com/#OTHERTAX>, <http://www.californiacityfinance.com/#PROPTAX>, <http://www.californiacityfinance.com/#SALESTAX>
- Transportation Funding. A new section with tutorials on the various sources of funding and "where your gas tax goes," explanation of the "spillover, etc. Also, estimated allocations by city for Prop 42, Prop 1B, etc. <http://www.californiacityfinance.com/#TRANSPORTATION>
- Votes. Local tax results from the June 2006 election and other recent elections. Also, **\*\*(CHECK THIS OUT)\*\*** a new summary of popular local add-on sales tax (transactions and use tax) votes that also explains what this tax is and how it differs from the basic sales tax - and a piece on countywide Transportation Sales taxes. <http://www.californiacityfinance.com/#VOTES>
- State Budget. Updated comparisons of state & local govt employment and finances, Top Myths about cities and the state budget. Links to key documents. <http://www.californiacityfinance.com/#CITY-STATE>

- Coming soon: Data on Police staffing by city (#s, per capita, etc.) and spending histories (police, fire, parks, streets, etc.)

**Ballot initiatives analysis:** You can access information on the initiatives that have qualified for the November ballot at the Secretary of State's website [http://www.ss.ca.gov/elections/elections\\_vig\\_publicdisplay.htm](http://www.ss.ca.gov/elections/elections_vig_publicdisplay.htm)

## DIVISION NEWS

**Division Breakfast at Annual Conference:** Yes, it's that time of year again – Annual Conference time – this year in beautiful San Diego. Our final Division meeting of the year will be the breakfast meeting on Friday, September 8<sup>th</sup> at 7:30 am in Marina Ballroom D, at the Marriott Hotel.

**Action:** Cost for the breakfast is \$20. I'll send a formal invite via email, but it's not too soon to let me know you will be attending.

**By-Laws adopted:** The revised Division by-laws were unanimously adopted at the Division's July dinner meeting. A copy can be viewed at [http://www.cacities.org/resource\\_files/24938.PenBylaws.doc](http://www.cacities.org/resource_files/24938.PenBylaws.doc).

According to the newly adopted by-laws, the election of officers will be held at the Annual Conference breakfast meeting.

**Action:** A ballot will be sent to all Mayors by mid-August. The by-laws state that, "Nominations can be made from the floor before the vote is taken, providing the written consent of the nominee has been secured". Each city is entitled to one vote for each office.

## CALENDAR OF EVENTS

*All Division members are invited to attend the Division's quarterly dinner meetings and events.*

### **Important dates:**

**DIVISION MEETINGS: Mark your calendars and plan to attend.**

September 6-9	Annual Conference, San Diego
September 8	Breakfast meeting at Annual Conference, San Diego
<b>January, 2007</b>	New date. Reception for Newly Elected and Re-Elected officials

SUGGESTIONS? COMMENTS? OUTREACH IDEAS? Email me at [relliot@cacities.org](mailto:relliot@cacities.org) or call me at (408) 829-2946.

*To be added or removed from the distribution list, please send an email to me at the above address.*

*Rebecca Elliot*

*P.O. Box 54216*

*San Jose, CA 95154-4216*

*(408) 829-2946*