



Memorandum

TO: Honorable Mayor &
City Council Members

FROM: Lee Price, MMC
City Clerk

SUBJECT: The Public Record
October 3-10, 2006

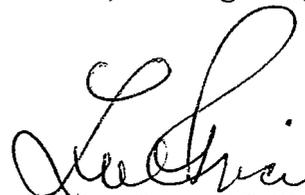
DATE: October 12, 2006

ITEMS TRANSMITTED TO THE ADMINISTRATION

- (a) Letter received via email on October 3, 2006 from Aaron Morrow Resident/Disability Advisory Commissioner to the Disability Advisory Commission sharing various concerns about the current Joint use Library between the City of San José and San José State University

ITEMS FILED FOR THE PUBLIC RECORD

- (b) Letter from Helen Chapman Chair, Parks and Recreation Commission to Mayor and Council dated October 4, 2006 regarding North San José Development Area.
- (c) LAFCO Agenda to City Clerk Lee Price and Council received on October 6, 2006 for meeting on October 11, 2006.
- (d) Flyer from Sustainable Silicon Valley Partners to the City Clerk Lee Price regarding "A Favorable Climate for Climate Action" conference on October 25, 2006.
- (e) Letter from T Mobile to City Clerk Lee Price dated October 9, 2006 regarding OCI Site Number SF15072.



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 José Mercury News
Library

September 23, 2006

City of San Jose
Disability Advisory Commission
200 East Santa Clara St
San Jose, California 95113

I would like to share various concerns with the Commission I have about the current Joint use Library between the City of San Jose and San Jose State University. I stopped to check my e-mail on September 19, 2006. I was in the facility for about 2 ½ hours during which time I noticed the following concerns.

- Broken computer i.e. Keyboards, mice both on the 1st and 2nd floor
- Certain bathroom did not have paper towels
- Study area surface not clean or disinfected this would include computer keyboards and workstations.
- Garbage was on the floor noticeable on 2nd floor i.e. water bottle
- Library furniture stained and garbage stuffed in cushions not able to enjoy sitting on furniture.

I was not very happy with the experience I had at the Joint Library. When this building was in development its mission was to attract people from the general public to come in and enjoy the facility. A place where people can read books, check e-mail and students can study. This is a place where many parents come with their children

Management needs to take a more proactive approach to solving many of these issues I have outlined above with their contracted staff that assists in helping keep the facility clean. These problems impact Persons with Disabilities and the general public who access the library. I strongly suggest the DAC monitor these issues and have staff provide an action plan for these issues in the next 60 day

Best regards,

Aaron Morrow
Resident/Disability Advisory
Commission
morrowa@pacbell.net 408-592-4183



Department of Parks, Recreation and Neighborhood Services

RECEIVED
PARKS AND RECREATION COMMISSION
San Jose City Clerk

October 4, 2006
2006 OCT 11 P 12: 27

Honorable Mayor and City Councilmembers
City of San José
200 East Santa Clara Street, 18th Floor Tower
San José, CA 95113

Subject: North San José Development Area

Dear Honorable Mayor and City Councilmembers:

On September 6, 2006, staff from the Planning Department gave the Parks and Recreation Commission an overview of the North San José Development Area Policy. This Policy provides for the development of up to 32,000 new residential dwelling units, which will provide housing for approximately 70,000 new residents in the North San José Development Area. The Parks and Recreation Commission applauds the City's goal regarding the development of neighborhood parks of three acres or greater within 1000 feet of any new residential unit being proposed in the Policy Area. The Commission concurs with the need for master planning the seven identified proposed residential areas for neighborhood parks, schools and other public facilities as necessary to serve these new residential areas.

The Parks and Recreation Commission is concerned with the lack of an overall vision to create space for a community park site, sport fields, an aquatic center, a community center and/or gymnasium to serve the North San Jose community of 80,000 plus residents. These facilities should be located on the existing light-rail line serving the North San José Area. This oversight in the plan is a major concern to the Parks and Recreation Commission by not identifying sites for such community facilities.

Per the service level objective of 3.5 acres of neighborhood/community parklands per 1000 population as noted in the City's General Plan, the proposed new residential development in the North San José Area would need to provide 245 acres of new parklands. The Commission understands that this number may not be reached; however, a livable community will need to provide parks, trails, sport fields, an aquatic center, a community center, and/or gymnasium to serve its residents within a reasonable distance of travel. The Parks and Recreation Commission believes that these recreational facilities will need to be located within the North San José Development Area in order to make these new residential areas into a livable community.

Sincerely,

Helen Chapman
Chair, Parks and Recreation Commission

cc: Joseph Horwedel, PBCE
Albert Balagso, PRNS

LAFCO MEETING AGENDA
Wednesday, October 11, 2006
1:15 p.m.

2006 OCT -6 P 3:42

Chambers of the Board of Supervisors
70 West Hedding Street, First Floor, East Wing
San Jose, CA 95110

CHAIRPERSON: Donald F. Gage
COMMISSIONERS: Blanca Alvarado, John Howe, Linda J. LeZotte, Susan Vicklund-Wilson
ALTERNATES: Pete McHugh, Chuck Reed, Terry Trumbull, Roland Velasco

The items marked with an asterisk (*) are included on the Consent Agenda and will be taken in one motion. At the beginning of the meeting, anyone who wants to discuss a consent item should make a request to remove that item from the Consent Agenda.

If you wish to participate in the following proceedings, you are prohibited from making a campaign contribution of more than \$250 to any commissioner or alternate. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. No commissioner or alternate may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the commissioner or alternate knows, or has reason to know, that you will participate in the proceedings. If you or your agent have made a contribution of more than \$250 to any commissioner or alternate during the twelve (12) months preceding the decision, in the proceeding that commissioner or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or combination of persons who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Santa Clara County LAFCO and will require an election must comply with the disclosure requirements of the Political Reform Act of 1974 which apply to local initiative measures. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information about the requirements pertaining to the local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660.

1. ROLL CALL

2. PUBLIC PRESENTATIONS

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not on this agenda. Speakers are limited to THREE minutes. All statements that require a response will be referred to staff for reply in writing.

3. APPROVE MINUTES OF AUGUST 9, 2006 MEETING

CONSENT ITEMS

4. APPROVE CONSENT CALENDAR***4.1 CUPERTINO SANITARY DISTRICT- PIKE ROAD NO. 3 (LANDS OF CEPPUS/HEAD)**

A request by Cupertino Sanitary District, on behalf of property owners, to annex two parcels with a total area of approximately 2.19 acres, located on Pike Road in the City of Saratoga.

Possible Action: Approve annexation to Cupertino Sanitary District and waive further protest proceedings.

ITEMS FOR COMMISSION DISCUSSION / ACTION

5. UPDATE ON DEVELOPMENT OF LAFCO'S AGRICULTURAL MITIGATION POLICIES

Information only.

6. UPDATE ON NORTH COUNTY AND WEST VALLEY AREA SERVICE REVIEW

Possible Action: Accept report and provide staff with direction.

7. UPDATE ON CITIES' ISLAND ANNEXATION EFFORTS

Possible Action: Accept report and provide staff with direction.

8. REPORT ON THE 2006 CALAFCO ANNUAL CONFERENCE

Possible Action: Accept report.

9. COMMISSIONERS' REPORTS**10. WRITTEN CORRESPONDENCE****11. NEWSPAPER ARTICLES**

12. **PENDING APPLICATIONS / UPCOMING PROJECTS**

San Martin Incorporation

13. **ADJOURN**

Adjourn to the next regular meeting on Wednesday, December 13, 2006.

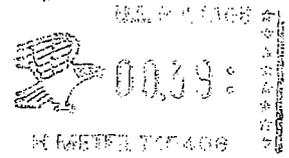
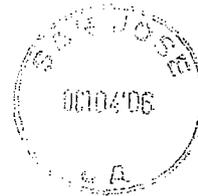
NOTE TO COMMISSIONERS:

Upon receipt of this agenda, please contact Emmanuel Abello, LAFCO Clerk, at (408) 299-6415, if you are unable to attend the LAFCO meeting.

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the LAFCO Clerk 24 hours prior to the meeting at (408) 299-6415, or at TDD (408) 993-8272, indicating that message is for the LAFCO Clerk.



Local Agency Formation Commission of Santa Clara County
70 West Hedding Street, 11th Floor
San Jose, CA 95110
(408) 299-6415



AGENDA
October 11, 2006 LAFCO Meeting

CITY COUNCIL MEMBERS
Thru: The City Clerk
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

FIRST CLASS MAIL

95113-1905 0055





Public Record
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"A Favorable Climate for Climate Action"

Sustainable Silicon Valley presents a morning focused on public attitudes to climate action and how attitudes and actions are affecting regional businesses, governments, investors, and social agencies.

WEDNESDAY, OCTOBER 25, 2006

California Mission Room, Benson Memorial Center, Santa Clara University

8:30 – 9:00 AM Registration and Booths

9:00 – 12:30 Program

12:30 – 1:30 Light Lunch Reception

We encourage you to allow time after the event to tour the demonstration green building just across the plaza.

"Climate Change: What Americans Really Think"

Keynote Speaker: Jon Krosnick, Stanford University

Professor Krosnick has conducted national surveys on America's attitudes to environmental issue, and will present information from his most recent studies on the public attitudes regarding climate change and climate action.

"Taking Action"

A Panel of Regional Leaders

Describe Their Organizations' Actions to Address Climate Change

Moderated by Jerry Hill, Supervisor, San Mateo County

Winston Hickox, Special Advisor to CalPERS

Tom Jacob, Government Affairs Manager, Western Region, DuPont Company

Jean Roggenkamp, Deputy Air Pollution Control Officer, Bay Area Air Quality Management District

Ian Kim, Reclaim the Future Director, Ella Baker Center for Human Rights

Greg Zlotnick, Director, Santa Clara Valley Water District

SSV CO₂ Report 2006

This report analyzes CO₂ emissions data for the region and for SSV Partners who report annually on their energy usage. Learn of the successes and strategies used by SSV partners to reduce CO₂ emissions.

REGISTRATION

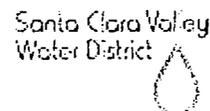
\$40/person for Sustainable Silicon Valley Partners, \$20/person students, \$75/person all others.

www.SustainableSiliconValley.org

THANK YOU TO OUR HOST:



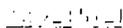
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AND OUR TABLE SPONSORS:



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STANFORD UNIVERSITY



PLANET



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Public Record e

RECEIVED
San Jose City Clerk

2006 OCT 12 A 9 55

October 9, 2006

City Clerk
Lee Price
200 East Santa Clara St.
San Jose, CA 95113-1905

Re: OCI Site Number SF15072

Dear Ms. Price,

General Order 159-A (GO-159-A) of the California Public Utilities Commission (CPUC) requires cellular carriers to send a notification letter of a utility's intent to construct a cellular facility to CPUC's Safety and Enforcement Division within 15 business days of receipt of all requisite local land use approvals. The notification letter shall state that such approvals have been received, or that no land use approvals are required.

As set forth in GO 159-A, copies of the notification letter are required to be served concurrently by mail on the local governmental agency. Where the affected local governmental agency is a city, service of the notification letter to the city shall consist of service of separate copies of the notification letter upon the City Manager, the City Planning Director and the City Clerk. In order to comply with these requirements, I have enclosed a copy of the notification letter for our project within your city limits.

If you have any questions or require additional information, please contact Rod DeLaRosa at (925) 521-5948

Sincerely,



Renee Davis
Compliance Consultant
Omnipoint Communications Inc.

Attachments



October 9, 2006

Safety & Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
RE: OCI Site Number SF15072 Canyon Creek Plaza

This is to provide the Commission with 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.

(b) That no land use approval is required because _____.

A copy of this notification 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 Rod DeLaRosa at (925) 521-5948 of Omnipoint Communications, Inc. dba T-Mobile, USA corporate identification number U-3056-C.

Very truly yours,

Renee Davis
Compliance Consultant

c: City of San Jose, CA

ATTACHMENT A

1. Project Location:

Site Identification Number: **SF15072**
Site Name: **Canyon Creek Plaza**
Site Address: **5665 Silver Creek Valley Road**
County: **Santa Clara**
Site Location: **San Jose, CA**
Assessor's Parcel Number: **679-29-007**
Latitude: NAD 83 **37*17**16.43"**
Longitude: NAD 83 **-121*46**50.65"**

2. Project Description:

Number of Antennas to be installed: **2**
Tower Design: **Rooftop**
Tower Appearance: **Rooftop**
Tower Height:
A) Building Height **25'**
B) Structure Height **30'**
C) Top of Antenna Height **30'**
Lease Area: **24' X 9'**

3. Business addresses of all Governmental Agencies

15 City of San Jose, CA
200 East Santa Clara St
San Jose, CA 95113 - 1905

4. Land Use Approval:

16 Building Permit
No. 2006-028411-CI
Issued: 10/2/2006

5. **If Land Use approval was not required:** *Explain reason for exemption and attach documentation from the jurisdiction (i.e. copy of ordinance) that officially states exemption.*