



Memorandum

TO: Honorable Mayor &
City Council Members

FROM: Lee Price, MMC
City Clerk

SUBJECT: The Public Record
May 16-21, 2009

DATE: May 22, 2009

ITEMS TRANSMITTED TO THE ADMINISTRATION

ITEMS FILED FOR THE PUBLIC RECORD

- (a) Email from Philip Chu to Mayor Reed and Vice Mayor Chirco received May 16, 2009 urging to maintain San Jose Libraries open five days a week.
- (b) Letter from David S. Wall to Mayor Reed and City Council dated May 18, 2009 regarding "San Jose Police Officer: Matthew D. Hayward (#3497) deserves thanks for saving a life!".
- (c) Letter from Constance Langford Chairperson to the Senior Citizens Commission to Mayor Reed and City Council dated May 18, 2009 urging the Council to consider keeping Alma, Hank Lopez, Northside and St. James Centers open from 10:00 a.m. until 2:00 p.m. primarily as a nutrition only site.
- (d) Email from San Francisco Bay Regional Water Board to City Clerk Lee Price received May 19, 2009 regarding Napa River Watershed Sediment TMDL and Habitat Enhancement Plan.
- (e) Letter from David S. Wall to Mayor Reed and City Council dated May 21, 2009 regarding "The Ghetto Life: Update on the SCEP".
- (f) Letter from David S. Wall to Mayor Reed and City Council dated May 21, 2009 regarding "Water Conservation Ordinance: Nurseries now EXEMPTED!".
- (g) Letter from David S. Wall to Mayor Reed and City Council dated May 21, 2009 regarding "Move TPAC meeting room to Wing 118-119 for safety".
- (h) Notice of Public Hearing to City Clerk Lee Price received May 21, 2009 for Local Agency Formation Commission of Santa Clara County on June 3, 2009 at 1:15 p.m.


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

From: Philip Chu [redacted]
Sent: Saturday, May 16, 2009 7:44 PM
To: MayorEmail; Chirco, Judy
Cc: City Clerk; Webmaster Manager
Subject: Keep San Jose public libraries five days a week open

Dear Mayor Reed and Judy Chirco,

I definitely expect San Jose libraries keep open five days a week which is our need. My mother will go Pearl Avenue Branch to read Chinese Daily Newspaper and books everyday. Library service is our daily requirement. If we want to keep our high quality life and culture, we should let this kind of service exist for daily need. In addition, I highly appreciated the service of library officers and workers. They care every visitor and always provide good service to our request.

Usually used library branch: Pearl Avenue Branch

Your consideration is highly appreciated! Please keep San Jose Public Library Branches open FIVE DAYS a week and propose my suggestion in San Jose City Council!

Sincerely,
Philip Chu

David S. Wall

PUBLIC RECORD b

RECEIVED
San José City Clerk

May 18, 2009

2009 MAY 18 P 4: 25

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: San José Police Officer: Matthew D. Hayward (#3497) deserves thanks for saving a life!

San José Police scour neighborhood searching for missing senior citizen in 96 degree heat.

Yesterday afternoon (Sunday 05.17.09), while moving redwood chips about the garden, a neighbor asked me if I had seen an elderly gentleman, who uses a "walker". I told her that I did not and went about my gardening chores. Shortly there after, I notice a San José Police cruiser patrolling very slowly on Fox Avenue and then in front of Ryland Park. I then observed a second Police cruiser and I became curious.

Exiting my property, I then saw a San José Police Officer on foot at the corner of another street and proceeded to find out the particulars and if I could be of help. The Officer was **Matthew D. Hayward**.

Officer Hayward told me the Police were searching for the elderly man, whose address was known to me as a "board and care facility". It seems one of the "old guys made a beak for it and took off" (my words not Officer Hayward's). The problem is that one of the elderly at this facility could have been disorientated and had "gotten lost". The problem is significantly compounded by the weather, in this case the intense heat of a 96 degree afternoon (again, my words).

Officer Hayward asked my opinion where an elderly man could have gone in my neighborhood. My first, (and luckily wrong answer) was the banks of the Guadalupe River. Within a few minutes, Officer Hayward observed a couple of blocks north of us, a person using a "walker". Both of us proceeded to the individual who happened to be whom the Police were summoned to find.

No big deal right? Wrong. This elderly man; who was in his seventy's, was wearing a heavy, full sized sweater, and moving very, very slowly using his "walker" for support. Officer Hayward wasted no time in escorting the man home, gently questioning him as to his health (mental clarity is an indicator as to the effects of the sun and possible heat stroke or heat exhaustion). Additional aid was given (in the home), by the care giver at the behest of Officer Hayward as to the removal of the heavy sweater, application of a cool compress and a glass of water was given to the "four wheeling senior".

But, Officer Hayward continued to go the extra distance asking the care giver additional questions especially, the address of a friend of the senior citizen while monitoring the condition of the elderly man. Once Officer Hayward was given the address he rose to investigate further and this is where San José's finest can be distinguished from the rest of us mortals.

Officer Hayward wanted to ascertain how long this elderly man; in his seventy's, wearing a heavy, full sized sweater, relying on a "walker" for support was exposed to the searing heat of a 96 degree day and whether or not additional medical attention was required.

YOU should thank Officer Hayward's parents. Their son saved a life Sunday.

Respectfully submitted,

Cc: City Attorney / City Manager / Chief of Police
San José POA

David S. Wall
05.18.2009



SENIOR CITIZENS COMMISSION

5730 Chambertin Drive
San Jose, California 95118
Tel: (408) 979-7915
Fax: (408) 979-0536

May 18, 2009

Mayor Chuck Reed
Members of the San José City Council
City Hall
200 East Santa Clara Street
San José, CA 95113

RECEIVED
San Jose City Clerk
2009 MAY 20 P 3:22

Dear Honorable Mayor Reed and City Council:

As you know, and I have stated publicly at the City Council meetings, the four senior/community centers targeted in the budget for closure are located in the poorest sections of the City of San José. They are primarily ethnic minority hubs and they are populated by seniors that have had their SSI/SSP grants decimated in the state budget, the funding eliminated for their homeowners and renters rebate program, the funding eliminated for their property tax postponement program, and the meal that they receive at nutrition is probably the only meal they will eat that day.

The Senior Commission's recommendation is to keep Alma, Hank Lopez, Northside and St. James Centers open from 10:00am until 2:00 pm, at a minimum, primarily as nutrition only sites staffed solely by food service people which are City employees but are grant supported.

The nutrition programs at these sites are County funded and it is our understanding that the County will be making no cuts to their nutrition program in the budget.

Other community-based organizations could put in proposals to augment the meal program with activities - for example Adult Education, Self Help at St. James as they are already there, and the Filipino Youth Coalition.

We thank you for your serious consideration in this matter.

Yours truly,

Constance Langford,
Chair, Senior Citizens Commission
CL/jm

- cc: Pete Constant, Councilmember, Dist. 1
- Debra Figone, City Manager
- Albert Balagso, PRNS Director
- Diane Lindberg, OOA Community Services Supervisor

-----Original Message-----

From: Lee Price
[mailto:lee.price@sanjoseca.gov]
Sent: Tuesday, May 19, 2009 1:25 PM
To: Price, Lee
Subject: Napa River Watershed Sediment TMDL and Habitat Enhancement Plan

This is a message from the California Regional Water Quality Control Board, San Francisco Bay Region (2).

The San Francisco Bay Water Board is releasing for public comment a revised Basin Plan amendment and supporting Staff Report, incorporating a Total Maximum Daily Load (TMDL) for sediment and a Habitat Enhancement Plan for the Napa River watershed. Staff have revised versions of these documents that were adopted by the Water Board in 2007, in response to comments received by the State Water Board.

The public comment period will close at 5 pm on July 6, 2009.

The revised documents are posted and available for downloading at http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/napariversedimenttmdl.shtml. Changes to documents circulated in 2008 are shown in underline/strikeout. Commenters need not resubmit previously submitted comments, as they are already part of the record.

The Water Board will consider these documents for adoption at their meeting on September 9, 2009. The official public notice is attached to this email.

For more information, please contact Mike Napolitano at mnapolitano@waterboards.ca.gov or 510-622-2397.

Bruce Wolfe
Executive Officer
San Francisco Bay Regional Water Board

You are currently subscribed to reg2_tmdl_basinplanning as:
lee.price@sanjoseca.gov
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David S. Wall

PUBLIC RECORD e

RECEIVED
San Jose City Clerk

May 21, 2009

2009 MAY 21 P 1:16

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: THE GHETTO LIFE: UPDATE ON THE SCEP

On Monday, (05.18.09) approximately 1717 hours, I ventured over to North Tenth Street @ Horning Street to "take the pulse" of the SCEP (Shopping Cart Entitlement Program). I arrived on station and found fourteen (14) stolen and abandoned shopping carts *A 17% increase of theft of shopping carts from last Wednesday is hereby recorded.*

Garbage is contained in several stolen and abandoned shopping carts so is what appears to be urine soaked clothing. Garbage is strewn about the ground. The flies, feeding on rotting garbage are increasing and the whole area at North Tenth Street @ Horning Street contributes to my opinion that the City of San José is the Regional Ghetto for Santa Clara County.

The breakdown of ownership of the stolen and abandoned shopping carts is as follows;

DaI Thanh Supermarket (2), Unmarked (1), FoodMaxx (1), Trader Joe's (1), Target (1), New India Bizar (1), PetsMart (1), Lion Food Center (1), World Market (1), Pay 'N' Pack (1), Ralph's (1), Fry's Electronics (1) and The Container Store (1).

*****special note***** the overall cleanliness of Shopping carts in stores should be addressed by some government agency. Unsuspecting customers may use excrement coated shopping carts without knowledge.

Welfare Check of the Railroad Tracks Resident(s).

A "welfare check" to establish the status of any and all occupant(s) along the railroad tracks proceeding Northbound, approximately one hundred and twenty (120) yards on the railroad tracks from North Tenth Street @ Horning Street; *was not* carried out.

There were no interviews this week.

Manuel's black rooster was out again and appears healthy. Manuel's other chickens and roosters are happily clucking away within the confines of the curtilage.

Respectfully submitted,

David S. Wall
05.21.09

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**Cc: City Attorney / Auditor / City Manager / Chief of Police
Director PBCE**

David S. Wall

PUBLIC RECORD 9

RECEIVED
San Jose City Clerk

May 21, 2009

2009 MAY 21 P 4: 39

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: Water Conservation Ordinance: Nurseries now EXEMPTED!

ESD Director EXEMPTS nurseries from Water Conservation Ordinance at RULES!

Sudden reversal casts entire Water Conservation Ordinance into the crapper.

But, Mayor Reed and Council still voted for it.

"The Memo" authored by the Director of Environmental Services Department (ESD), dated (04.22.09), entitled, **"City of San José Drought Response"**, tendered to the Transportation and Environment Committee meeting (Monday, 05.04.2009), DID NOT EXEMPT ANYONE and the language contained therein is damning and merciless.

But...the winds of rebellion have begun to blow. Yesterday, (Wednesday, 05.20.2009) at the RULES AND OPEN GOVERNMENT COMMITTEE meeting, the Director of ESD, testified that NURSERIES ARE EXEMPT from the **Water Conservation Ordinance and their (nurseries) participation in the 15% potable water consumption is voluntary.**

This brand spanking new approach to develop public policy on the fly, by the Director of ESD, after Mayor and Council voted just the day before (unanimously) to adopt the aforementioned "Memo", brings into the spotlight the complete and utter sham of the **Water Conservation Ordinance in its entirety.**

What is required: **A MANDATORY SEWER HOOK-UP MORATORIUM**, has yet to surface.

Meanwhile, back at the City Hall ranch, Mayor Reed did mention that the only "Housing Projects" were the "affordable housing projects" on Tuesday's (05.19.2009) City Council Agenda.

"Affordable Housing" is the new buzz word for "taxpayer subsidized slums". A total of three hundred and sixty one (361) "slum units" were voted on. Only Councilmember Oliverio voted against the housing projects. To qualify for the aforementioned housing; Families of Foreign Nationals are encouraged (no United States citizenship requirement), extremely low income, and very low income are the monetary requirements. The result will be ghettos and slums.

And...the authorization for the building housing units on the same agenda as the **Water Conservation Ordinance** illustrates there is something seriously wrong at City Hall.

To build housing of any kind without a sustainable water supply is irresponsible.

For now, the Nurseries are a protected class.

Respectfully submitted,

**Cc: City Attorney / Auditor / City Manager
Board Members: Santa Clara Valley Water District**

David S. Wall
05.21.2009

David S. Wall

PUBLIC RECORD 9

RECEIVED
San Jose City Clerk

2009 MAY 21 P 4: 41

May 21, 2009

Mayor Reed and Members San José City Council
200 East Santa Clara Street
San José, California 95113-1905

Re: Move TPAC meeting room to Wing 118-119 for safety

The Treatment Plant Advisory Committee (TPAC) meeting room should be transferred to the Wing 118-119 for the safety of all concerned.

Room T-1047 is not a safe room. It only has one door and the door is configured to open to the interior of the room. Should the door be "jammed" or unable to open, everyone in **T-1047** would be trapped.

Respectfully submitted,

David S. Wall
05.21.2009

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**Cc: City Attorney / Auditor / City Manager
Members TPAC / Chief of Police / Fire Chief / Fire Marshal**

