

Memorandum

TO: Honorable Mayor &
City Council Members

FROM: Lee Price, MMC
City Clerk

SUBJECT: The Public Record
August 28 – September 4, 2009

DATE: September 4, 2009

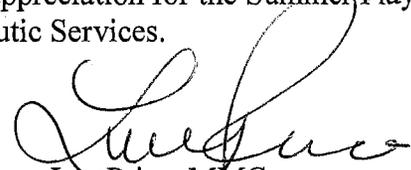
ITEMS TRANSMITTED TO THE ADMINISTRATION

ITEMS FILED FOR THE PUBLIC RECORD

- (a) Notification letter from Verizon Wireless to Consumer Protection and Safety Division dated August 18, 2009 for Capitol and Almaden GTE Mobilnet of California Limited Partnership (U-3002-C), of San Jose, CA MSA.
- (b) Notification letter from Verizon Wireless to Consumer Protection and Safety Division dated August 20, 2009 for Silver Creek GTE Mobilnet of California Limited Partnership (U-3002-C), of San Jose, CA MSA.
- (c) Notification letter from Verizon Wireless to Consumer Protection and Safety Division dated August 20, 2009 for Hwy 280/17 GTE Mobilnet of California Limited Partnership (U-3002-C), of San Jose, CA MSA.
- (d) Notice of Public Hearing on a Substantial Amendment to the 2009-2010 Consolidated Annual Action Plan received on August 31, 2009.
- (e) Letter from David S. Wall to Mayor Reed and City Council dated September 1, 2009 regarding "Thanks to San Jose Police Officer Jeff Harwell".
- (f) Letter from David S. Wall to Mayor Reed and City Council dated September 1, 2009 regarding "Thanks to San Jose Police Officer Chris Scott".
- (g) Letter from David S. Wall to Mayor Reed and City Council dated September 2, 2009 regarding "Deficit reduction solution: Strip Housing Department of General Funding (Fund 001)".
- (h) Letter from David S. Wall to Mayor Reed and City Council dated September 2, 2009 regarding "Gangs Should be eradicated-not appeased. Ask President Obama for help".
- (i) Letter from David S. Wall to Mayor Reed and City Council dated September 3, 2009 regarding "Safety of Treated Sewage Water a.k.a. Reclaimed Water".

Honorable Mayor and City Council Members
September 4, 2009
Subject: The Public Record: August 28 –September 4, 2009

- (j) Letter from David S. Wall to Mayor Reed and City Council dated September 3, 2009 regarding "Willow Glen Neighborhood Association "right as rain" about Parkland reduction".
- (k) Letter from David S. Wall to Mayor Reed and City Council dated September 3, 2009 regarding "The Ghetto Life: Update on the SCEP".
- (l) Letter from David S. Wall to Mayor Reed and City Council dated September 3, 2009 regarding "Inform City Employees of budget cuts and layoffs before holiday season".
- (m) Letter from David S. Wall to Mayor Reed and City Council dated September 3, 2009 regarding "Airport successes discusses at Rules".
- (n) Letter from David S. Wall to Mayor Reed and City Council dated September 3, 2009 regarding "Affordable Housing must pay into City Park System".
- (o) Letter from David S. Wall to Mayor Reed and City Council dated September 3, 2009 regarding "Councilmember Constant sorely missed at Rules!".
- (p) Letter from Diane Kim to Office of Parks, Recreation and Neighborhood Services, Therapeutic Services dated August 6, 2009 expressing appreciation for the Summer Play Camps I and II programs through the Office of Therapeutic Services.



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

PUBLIC RECORD a

RECEIVED
San Jose City Clerk

2009 SEP -2 A 10: 03

verizonwireless

1120 Sanctuary Pkwy
Suite 150
MC: GASA5REG
Alpharetta, GA 30009
(770) 797-1070

August 20, 2009

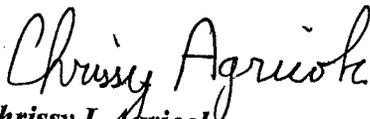
Ms. Anna Hom
Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
alh@cpuc.ca.gov

Re: Notification Letter for **Capitol and Almaden** GTE Mobilnet of California Limited
Partnership (U-3002-C), of San Jose, CA MSA

This is to provide the Commission with notice according to the provisions of General Order No. 159.A of the Public Utilities Commission of the State of California ("CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government 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 Chrissy L. Agricola of Verizon Wireless at (770) 797-1049.

Very truly yours,



Chrissy L. Agricola
Verizon Wireless
MTS Network Compliance

Notification Letter
GTE Mobilnet of California Limited Partnership (U-3002-C)
August 20, 2009
Page 2

Attachment A

CPUC CELL SITE REPORT GTE Mobilnet of California Limited Partnership (U-3002-C)

PROJECT LOCATION: Capitol and Almaden – I/B

SITE NAME: Capitol and Almaden
SITE ADDRESS: 3066 Almaden Expressway
LOCATION: San Jose, CA 95118
COUNTY: Santa Clara
APN: 451-07-003
COORDINATES: 37° 16' 39.79"/121° 52' 42.83" (NAD83)

1. PROJECT DESCRIPTION:

GTE Mobilnet of California Limited Partnership (U-3002-C) proposes the addition of three (3) antennas to existing roof mounted pole.

ANTENNAS: Three (3) panel antennas
TOWER DESIGN: Building
TOWER APPEARANCE: N/A
TOWER HEIGHT: N/A
BUILDING SIZE: 47'
OTHER: N/A

Notification Letter
GTE Mobilnet of California Limited Partnership (U-3002-C)
August 20, 2009
Page 3

3. BUSINESS ADDRESSES OF ALL LOCAL GOVERNMENT AGENCIES:

Cc: Joseph Horwedel, Planning Director
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street
San Jose, CA 95113-1905

Debra Figone, City Manager
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Lee Price, City Clerk
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

4. LAND USE APPROVALS:

Type:	Development Permit Adjustment
Issued:	06/30/09
Effective:	06/30/09
Agency:	City of San Jose Department of Planning, Building & Code Enforcement
Permit No.:	AD 09-611
Resolution No.:	N/A

PUBLIC RECORD b

RECEIVED
San Jose City Clerk

2009 SEP -2 A 10: 03

verizonwireless

1120 Sanctuary Pkwy
Suite 150
MC: GASA5REG
Alpharetta, GA 30009
(770) 797-1070

August 20, 2009

Ms. Anna Hom
Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
alh@cpuc.ca.gov

Re: Notification Letter for **Silver Creek** GTE Mobilnet of California Limited Partnership (U-3002-C), of San Jose, CA MSA

This is to provide the Commission with notice according to the provisions of General Order No. 159.A of the Public Utilities Commission of the State of California ("CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government 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 Chrissy L. Agricola of Verizon Wireless at (770) 797-1049.

Very truly yours,


Chrissy L. Agricola
Verizon Wireless
MTS Network Compliance

Notification Letter
GTE Mobilnet of California Limited Partnership (U-3002-C)
August 20, 2009
Page 2

Attachment A

CPUC CELL SITE REPORT GTE Mobilnet of California Limited Partnership (U-3002-C)

PROJECT LOCATION: Silver Creek – I/B

SITE NAME: Silver Creek
SITE ADDRESS: 1601 Toulon Court
LOCATION: San Jose, CA 95138
COUNTY: Santa Clara
APN: 680-13-049
COORDINATES: 37° 16' 33.79"/121° 46' 33.82" (NAD83)

1. PROJECT DESCRIPTION:

GTE Mobilnet of California Limited Partnership (U-3002-C) proposes the addition of two (2) antennas and four (4) coax to the 26' level. New final configuration: six (6) antennas and twelve (12) lines.

ANTENNAS: Six (6) panel antennas
TOWER DESIGN: Monopole
TOWER APPEARANCE: Two (2) antennas at 19' and four (4) antennas at 26'
TOWER HEIGHT: 65'
BUILDING SIZE: 10' x 20' shelter (~500' away from pole)
OTHER: N/A

Notification Letter
GTE Mobilnet of California Limited Partnership (U-3002-C)
August 20, 2009
Page 3

3. BUSINESS ADDRESSES OF ALL LOCAL GOVERNMENT AGENCIES:

Cc: Joseph Horwedel, Planning Director
Planning, Building, and Code Enforcement
200 East Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113-1905

Debra Figone, City Manager
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Lee Price, City Clerk
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

4. LAND USE APPROVALS:

Type:	Zoning
Issued:	04/23/09
Effective:	04/23/09
Agency:	City of San Jose Department of Planning, Building & Code Enforcement
Permit No.:	PDA92-005-02 and PDA90-092-04
Resolution No.:	Project File # AD09-394

Type:	Building Permit
Issued:	RTP – 07/09/09
Effective:	07/09/09
Agency:	City of San Jose Building Department
Permit No.:	09-022655
Resolution No.:	N/A

The Verizon Wireless logo, featuring the word "verizon" in a bold, lowercase sans-serif font, followed by "wireless" in a smaller, lowercase sans-serif font. A checkmark symbol is positioned above the "v" in "verizon".

1120 Sanctuary Pkwy
Suite 150
MC: GASASREG
Alpharetta, GA 30009
(770) 797-1070

August 20, 2009

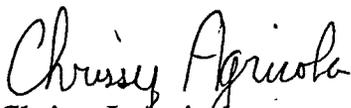
Ms. Anna Hom
Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
alh@cpuc.ca.gov

Re: Notification Letter for **Hwy 280/17** GTE Mobilnet of California Limited Partnership (U-3002-C), of San Jose, CA MSA

This is to provide the Commission with notice according to the provisions of General Order No. 159.A of the Public Utilities Commission of the State of California ("CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government 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 Chrissy L. Agricola of Verizon Wireless at (770) 797-1049.

Very truly yours,


Chrissy L. Agricola
Verizon Wireless
MTS Network Compliance

Notification Letter
GTE Mobilnet of California Limited Partnership (U-3002-C)
August 20, 2009
Page 2

Attachment A

CPUC CELL SITE REPORT GTE Mobilnet of California Limited Partnership (U-3002-C)

PROJECT LOCATION: Hwy 280/17 – I/B

SITE NAME: Hwy 280/17
SITE ADDRESS: 2995 Moorpark Avenue
LOCATION: San Jose, CA 95128
COUNTY: Santa Clara
APN: 279-48-007
COORDINATES: 37° 18' 59.89"/121° 56' 41.34" (NAD83)

1. PROJECT DESCRIPTION:

GTE Mobilnet of California Limited Partnership (U-3002-C) proposes the addition of three (3) antennas and six (6) lines.

ANTENNAS: Six (6) panel antennas
One (1) GPS antennas
TOWER DESIGN: Monopole
TOWER APPEARANCE: Two (2) antennas per sector close mounted at 62'
TOWER HEIGHT: 65'
BUILDING SIZE: 11'6" x 15'1" shelter
OTHER: N/A

Notification Letter

GTE Mobilnet of California Limited Partnership (U-3002-C)

~~August~~ 20, 2009

Page 3

3. BUSINESS ADDRESSES OF ALL LOCAL GOVERNMENT AGENCIES:

Cc: Joseph Horwedel, Planning Director
Department of Planning, Building, and Code Enforcement
200 East Santa Clara Street, 3rd Floor Tower
San Jose, CA 95113-1905

Debra Figone, City Manager
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

Lee Price, City Clerk
City of San Jose
200 East Santa Clara Street
San Jose, CA 95113

4. LAND USE APPROVALS:

Type:	Zoning Permit
Issued:	04/23/09
Effective:	04/23/09
Agency:	City of San Jose Department of Planning, Building & Code Enforcement
Permit No.:	CPA00-025-01
Resolution No.:	Project File # AD09-307



NOTICE OF PUBLIC HEARING ON A SUBSTANTIAL AMENDMENT TO THE 2009-2010 CONSOLIDATED ANNUAL ACTION PLAN

THIS NOTICE is to announce a Substantial Amendment to the 2009-2010 Consolidated Annual Action Plan and the funding commitment of \$150,000 in Community Development Block Grant funds to Legal Aid Society of Santa Clara County for the Fair Housing Program. This action will enhance current fair housing services including conciliation services, fair housing complaint investigation, legal representation, education, information and referral services for low- and moderate-income individuals. Appropriation of these funds will represent a 32% increase to the Fair Housing category and a 5% decrease to the CDBG Program Administration and Monitoring category in the Fiscal Year 2009-2010 Annual Action Plan.

The Consolidated Annual Action Plan outlines the City's proposed activities to meet the housing and community development goals outlined under the federally-required Consolidated Plan, and covers the HOME Investment Partnership Program (HOME), the Emergency Shelter Grant (ESG) Program, the Community Development Block Grant (CDBG) Program, and the Housing Opportunities for People with AIDS (HOPWA) Program

The following is the anticipated schedule for the review and approval of the Substantial Amendment:

Date	Action
August 28, 2009 - September 28, 2009	30-day public review and comment period
September 10, 2009	Housing and Community Development Advisory Commission Public Hearing 200 East Santa Clara St., Wing-118 San José, CA 95113 5:45 PM 
September 29, 2009	City Council Public Hearing and Final Action City Council Chambers, San José City Hall, 200 East Santa Clara St. San José, CA 95113 1:30 PM 

The public is invited to attend any of the meetings listed above or provide written comment to the City of San José Housing Department, 200 E. Santa Clara Street, San José, CA 95113, Attn: Sandra Murillo. Comments may also be submitted via e-mail to sandra.murillo@sanjoseca.gov. If additional information is needed, please call Sandra Murillo at (408) 975-4415, or for those with speech/hearing impediments, please call (408) 294-9337 (TTY). Persons needing special assistance under the Americans with Disabilities Act should call at least 48 hours prior to any of the meetings or hearings to ensure their needs can be reasonably accommodated.

Este aviso contiene información sobre modificaciones al Plan Consolidado – Plan de Acción Anual 2009-2010 para San José. Para más información, póngase en contacto con Sandra Murillo al 408-975-4415.

本通知含有關於聖荷西整合計劃 – 2009-2010 年度行動計劃的資訊。詳情請致電 535-8242 洽詢 Linda Chan

Thông báo này có thông tin về các sửa đổi trong Kế Hoạch Thống Nhất - Kế Hoạch Hành Động Hàng Năm 2009-2010 cho San Jose. Để biết thêm chi tiết, xin liên lạc Therese Tran tại số 408-793-5549

David S. Wall

PUBLIC RECORD e

RECEIVED
San Jose City Clerk

September 1, 2009

2009 SEP -1 P 1:25

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

Re: Thanks to San José Police Officer Jeff Harwell (#3966)!

The Case of the Three Lampreys, in a box, found at Ryland Park. (Event # 09-242-0406)

I would like to express my appreciation to the San José Police as a whole but, specifically to **Officer Jeff Harwell** who responded to investigate the mysterious presence of three (3) lampreys in a cardboard box in front of Ryland Park.

Sunday morning (08.30.09), shortly after two other valiant San José Police Officers responded to "gangster activity" associated with 461 North San Pedro Street, I was on "trash detail" once again and noticed a cardboard box, on the City sidewalk in front of Ryland Park.

Upon investigation, I found three (3) "Lampreys", each about eighteen (18) inches long, curled up, each in a sealed plastic bag containing the preservative "formalin". The lampreys were well marked with the identity and address of a well known supplier of laboratory goods.

A "Lamprey" is an eel-like aquatic animal that is uniquely characterized by not having a jaw. It has a circular mouth outfitted with small teeth that is designed to attach itself on an unsuspecting creature, while in the water and proceed to "suck the life's blood" out of this creature or to simply attach itself for a "free ride".

I was "stumped" as to how to proceed. I did not know if this property was stolen. These "Lampreys" are biologically prepared specimens for dissection in some laboratory setting; be it high school or college. But, due to the presence of "formalin", the "Lamprey's" could not be thrown in the trash nor could I just walk away and leave this mess for some child to stumble upon, thus I phoned 311 to ask for advice on how to proceed.

San José Police Officer Jeff Harwell (#3966) was dispatched, arrived and was briefed as to the presence of the Lampreys and the quandary I now presented to him.

Officer Harwell investigated the box further and found additional information that will not be discussed, for this is an ongoing San José Police investigation.

The conduct of **San José Police Officer Jeff Harwell (#3966)** in this matter saved me from a lot of grief and anguish to wit I am very, very grateful. YOU ALL should be grateful to Officer Harwell's expertise in his thoughtful and investigatory prowess and expertise.

Please take the necessary steps to reflect my gratitude to **Officer Jeff Harwell**.

Respectfully submitted,

**Cc: City Attorney / Chief of Police / SJ POA
City Manager / Director Human Relations / Director Employee Relations**

David S. Wall
09.01.09

David S. Wall

PUBLIC RECORD f

RECEIVED
San Jose City Clerk

September 1, 2009

2009 SEP -1 P 1:28

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

Re: Thanks to San José Police Officer Chris Scott (#3981)!

Vandalism of Public Art Mural across from Ryland Park investigated. (Event # 09-241-0407)

I would like to express my appreciation to the San José Police as a whole but, specifically to **Officer Chris Scott** who responded to investigate a serious act of vandalism involving a piece of City of San José Public Art.

The artwork in question is “the Train Mural” across from Ryland Park which is painted on the North San Pedro support structure for the Market Street overpass.

Saturday morning (08. 29.09) while on “trash detail”, I noticed the vandalism and reported the crime to the San José Police. **Officer Chris Scott** responded in a timely manner.

Upon arrival, Officer Scott was briefed as to the vandalism on the Mural and subsequent, related vandalism to; 448 North San Pedro Street (Sara’s Store) and to a parked vehicle (Toyota sedan CA# 5FDR837).

Officer Scott “wasted no time” in his analysis of the situation. Officer Scott began photographing the damaged Mural, private vehicle and Sara’s Store. Other investigative questions were asked and answered but, will not be recorded for this is an ongoing Police investigation and such details are to remain silent.

Officer Scott’s attention to minute detail and courteous responses to my questions were not only informative but, had a calming affect as to the issue that the perpetrator(s) of this heinous crime will be under the ever so vigilant eyes of the San José Police.

The conduct of **San José Police Officer Chris Scott (#3981)** in this matter is nothing short of outstanding and should be noted for the permanent record.

Please take the necessary steps to reflect my gratitude to **Officer Chris Scott**.

Respectfully submitted,

David S. Wall

09.01.09

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**Cc: City Attorney / Chief of Police / SJ POA
City Manager / Director Human Relations / Director Employee Relations**

David S. Wall

PUBLIC RECORD 9

RECEIVED
San Jose City Clerk

2009 SEP -2 P 1:42

September 2, 2009

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

Re: Deficit reduction solution: Strip Housing Department of General Funding (FUND 001)

As the economy continues to flounder as applied to incoming tax revenues to support City operations, new methodologies to fund tax payer funded "give-away programs" are under review.

One of the largest, (if not the largest) tax payer funded "give-away programs" is the City of San José Housing Department.

Upon review of the Housing Department budgetary outlays for salaries and benefits, it becomes readily apparent that being part of this administration provides a reasonable illustration of having a first class ticket on a "taxpayer gravy train".

The administration of the Housing Department spares no effort in the self proclaimed aggrandizements associated with obtaining "grant monies" from other sources outside the City of San José. Such declaratory achievements are a matter of record and routine before various Council Committee meetings and other public forums as an indicator of worthiness to continue on the Public dole.

I assert, if the current highly paid and benefited administration of the Housing Department is to continue to reap the harvest that others have sowed, toiled and brought to fruition; that they do so as a result of their unbridled, unrelenting and boorish boasting of obtaining grant monies from other sources.

The Housing Department should be stripped of all General Funds (FUND 001).

Respectfully submitted,

David S. Wall
09.02.09

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Cc: City Attorney / City Auditor / City Manager

David S. Wall

PUBLIC RECORD h

RECEIVED
San Jose City Clerk

September 2, 2009

2009 SEP -2 P 1:40

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

Re: "Gangs" should be eradicated-not appeased. Ask President Obama for help.

The proliferation of "gang" and associated criminal activities, in San José and the nation as a whole, has been "out of control" for some time.

This is a direct and proximate result of a chronic breakdown in the criminal justice system. The criminal justice system, as it exists today, does not provide any deterrence to crime.

Going to jail has become a "social promotion" and now even going to jail has made the criminal justice system even more ineffective due to early release dates and no viable deterrent methodologies to prevent recidivism.

Gang members should be forcibly removed from our society to serve as deterrence to others who entertain similar affiliations, in my opinion.

I have an idea that I believe will bring back deterrence and eradicate gangs from our nation, but it will require Presidential interaction.

An executive order to identify "gangs" as an immediate threat to national security that would permit the temporary suspension of *habeas corpus* of gang members would be a requirement for this remedy.

A systematic approach of detaining gang members and transporting them to a foreign country would be developed and carried out by the United States Military.

Gang members could have a unique influence on the modern day battlefield in regions such as; Afghanistan, Pakistan, and Iraq.

For example, any where the Taliban is operating, place in their midst our unwanted, unarmed and expendable "gang members" equipped with a subcutaneous micro transmitter. Forward air controllers could tract them using the drones. As they are rounded up by enemy forces, release the appropriate directed ordinance. Problems solved.

Placing gang members thousands of miles away from us, without passports or any means of support, (outside of the bright red "jumpsuit" to wit they will be outfitted), will be a system of deterrence that will be successful on many levels.

Respectfully submitted,

David S. Wall
09.02.09

Cc: President Obama / City Attorney / Chief of Police

David S. Wall

RECEIVED
San Jose City Clerk

2009 SEP -3 P 4:21

September 3, 2009

Santa Clara Valley Water District
Board of Directors
5750 Almaden Express Way
San José, California 95118-3686

Re: Safety of Treated Sewage Water a.k.a. "Reclaimed Water"

You might want to make inquiries as to the results of the Chronic Toxicity testing of the final effluent from the San José / Santa Clara Water Pollution Control Plant (herein WPCP) for the months of July and August.

If YOU find these results unacceptable, additional questions, (such as the following) should be asked and debated.

1. Are YOU immediately informed of any Chronic Toxicity testing failures of WPCP final effluent?
2. Are YOU immediately informed of *repeated* Chronic Toxicity testing failures of WPCP final effluent?
3. Does WPCP automatically "shut off" final effluent from entering the "Reclaimed Water" system if there is; a failure and or repeated failures of Chronic Toxicity testing?
4. Does WPCP perform Chronic and or Acute Toxicity testing, at any time, on reclaimed water samples in the reclaimed water delivery system?
5. Does a failure of Chronic Toxicity testing, of WPCP final effluent, cause any concern as to the safety to the public, via any decision made by YOU, to permit reclaimed water to be used in direct ground water recharge?

Respectfully submitted,

David S. Wall
09.03.09

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///
///

**Cc: Mayor Reed and Members City Council / City Attorney / City Auditor / City Manager
Members Treatment Plant Advisory Committee (TPAC)**

David S. Wall

RECEIVED
San Jose City Clerk

September 3, 2009

2009 SEP -3 P 4: 21

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

Re: Willow Glen Neighborhood Association "right as rain" about Parkland reduction.

Parks are urban necessities.

This letter concerns itself with issues brought up by the Willow Glen Neighborhood Association letter, dated August 20, 2009 that was published on Item F: the Public Record "C" on the RULES AND OPEN GOVERNMENT AGENDA for Wednesday September 2, 2009.

First let me state, I do not represent the Willow Glen Neighborhood Association on any manner. I do not even know them.

I do note their correct position concerning Parkland, although from my perspective it is a little timid. More Parkland is needed and it is a necessity for an advanced society.

From the position stated by the **Willow Glen Neighborhood Association** there appears to be skullduggery afoot by some forces within the City administration.

The Santa Clara Valley does not have water supplies to sustain the asinine growth initiatives put forth by YOU. This is a matter of record.

What is uniquely germane to this discussion concerning the RULES AND OPEN GOVERNMENT AGENDA for Wednesday September 2, 2009, was the inclusion of the City of San José's Housing Department's plea to extend the exemption for Developers from having to pay for Park Development Ordinance / Park Impact Ordinance fees, for "Affordable Housing Projects" which appeared on Item H of the aforementioned agenda.

If YOU think the **Willow Glen Neighborhood Association** are irritated by a loss of Parkland, what are the **Willow Glen Neighborhood Association** folks going to think of having low class undesirables trashing their property values from City "Affordable Housing Projects" thrust upon them as a result of YOUR "dispersion policy" where the Developers are exempted from paying PDO / PIO fees?

Respectfully submitted,

David S. Wall
09.03.09

///

**Cc: City Attorney / City Auditor / City Manager
Willow Glen Neighborhood Association**

David S. Wall

PUBLIC RECORD k

RECEIVED
San Jose City Clerk

2009 SEP -3 P 4: 22

September 3, 2009

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

Councilmember Liccardo cracks the whip on blight!

Code Enforcement Management forced off their complacent, good for nothing backsides.

Councilmember Kalra scurries back to District 2. Putsch failed, Rats invade D2.

On Monday, (08.31.09) approximately 1625 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 five (5) stolen and abandoned shopping carts. *A 400% increase from last week as to the number of stolen and abandoned shopping carts is hereby recorded.*

With an audible "ouch" or a whispering, "beat me again Sam"; whatever the case may be, Code Enforcement Management has been told to put the kibosh on unrelenting blight at North Tenth Street @ Horning Street. I know a lot of "tails" are on the line and the political cane meister, Councilmember Liccardo, is whipping up on some highly paid lethargic booty at Code. But, "time will tell" as to the sustainability of this new religion of cleanliness and I'll do the "telling" of this tale every week.

Also, Councilmember Liccardo demonstrates a well planned attack on a problem is better than the quick and unsustainable results from an interloping Councilmember trying to annex District 3 for territorial and political gains. Rats concur, reverse course and invade District 2.

City "strong arms" San José Recycle business; "Pick up garbage or face the Man".

An employee from the recycle shop on Tenth Street, walked up while I was counting the stolen and abandoned shopping carts and complained to me that, "the City is making us pick up the garbage here at least twice a day and it is not our problem". He asked my opinion on the matter and I replied, "Life is unfair at times", then I pointed to some rotting peaches on the ground and I said, "You missed these".

Is a City Code Enforcement Inspector a superseding, intervening agent breaking causation?

A new tactic is being used on the stolen and abandoned shopping carts. A white plastic "zip tie" with the Julian date is a fixed to the stolen and abandoned shopping carts in a way that immobilizes them (unless you have a knife and cut it off). But, the stolen and abandoned shopping carts are left there, on the street for twenty four (24) hours while the store owners are called and threatened.

Does this superseding, intervening act by the hands of the agent of the City of San José serve to sever causation by the person(s) who originally left the stolen and abandoned shopping carts on the street should someone become injured due to "zip-tied" stolen and abandoned shopping carts left out in the street? Tough issues for tough times but this process *is not* the solution.

Ownership of the stolen and abandoned shopping carts are as follows (Julian dates recorded):

Save Mart (1) (09-243-06), Safeway (1), Ralph's (1), Trader Joe's (1) (09-243-01) and Mi Pueblo (1) (09-243-02) were also "zip-tied" together, (misery loves company).

Respectfully submitted,

Cc: City Attorney / City Auditor / City Manager

David S. Wall
09.03.09

David S. Wall

PUBLIC RECORD 1

RECEIVED
San Jose City Clerk

2009 SEP -3 P 4: 22

September 3, 2009

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

Re: Inform City Employees of budget cuts and layoffs before holiday season.

I have requested, for the second time at RULES, (Wednesday, 09.02.09) that City employees be notified of the next series of layoffs *before* the holiday season.

Next year is going to get grizzly real fast for many City employees who are being lulled into a false sleep by the Office of the City Manager.

YOU should all have the decency to give timely and accurate financial reports to City employees as to the state of their jobs for YOU are all good hearted and caring caretakers of the public's trust.

January 2010 is going to bring a lot of woe and heartache to a lot of good people.

YOU can help mitigate these feelings by being forthright with the financial realities facing City coffers and by giving direction to the Office of the City Manager to do the following:

1. Inform City employees as to the intentions of the administration as the financial conditions worsen and how the layoffs will be prioritized.
2. Create menus of options to protect City employees and their healthcare benefits for Council to discuss and debate within one week and every week thereafter until all hope is lost.

Respectfully submitted,

David S. Wall

09.03.09

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Cc: City Attorney / City Auditor / City Manager

David S. Wall

PUBLIC RECORD m

RECEIVED
San Jose City Clerk

September 3, 2009

2009 SEP -3 P 4: 22

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

Re: Airport successes discussed at RULES

Mayor Reed rightfully touts Airport successes under his leadership.

But...Nobody and I mean nobody mentioned the Prevailing Wage Ordinance.

With the nation's economy in the crapper for the foreseeable future (and then some) the City of San José's "Living Wage Ordinance (LWO)" will continue to have an overall negative effect on the economic revitalization of San José's economy. But, at RULES (Wednesday, 09.02.09) a glowing report as to the successes at the airport was tendered by Mayor Reed and the hired lobbyist from Washington, D.C.

Mayor Reed was correct to report on the improvements to airport baggage security processing and the associated technological achievements now in place. This is a very noteworthy achievement. It will save the airlines money and it will add significant layers of protection to the traveling public. Good Job Mr. Mayor!

However...the LWO continues to attack the airlines and the overall business community's bottom line.

The LWO, sired from the loins of communist party ideology, is still a material impetus for the growth of San José's economy and should be repealed without hesitation.

The continual collapse of tax revenue is going to have draconian results next budget cycle. Every attempt at stimulating, maintaining and retaining businesses is mandatory and a requirement for those elected to conduct the public's welfare.

For those that glowingly reminisce of yesterday's glory of "give away to get a vote" it is time to put away childish mannerisms and grow up.

YOU have no money and very little prospects for making some.

Ditch diggers, hamburger flippers should be afforded a salary commensurate with their skills and what the market place will pay without the miasma of the sententious conferring a false plentitude on the great unwashed.

Dump the LWO.

Respectfully submitted,

Cc: City Attorney / City Auditor / City Manager
Director Airport / San José-Silicon Valley Chamber of Commerce

David S. Wall
09.03.09

David S. Wall

PUBLIC RECORD n

RECEIVED
San Jose City Clerk

September 3, 2009

2009 SEP -3 P 4: 22

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

Re: Affordable Housing must pay into City Park System.

Taxpayer subsidized housing still requires City Parks.

Don't deny self esteem to illegal aliens and gang bangers on the Public dole.

The City of San José's Housing Department wants to continue the exemption that "Affordable Housing units" have been given since 1988 and deny Developers and others, who profit directly or indirectly from subsidized housing projects from having to bear the costs for the City's Park Development Ordinance / Park Impact Ordinance fees.

Today at RULES, (Wednesday, 09.02.09) the administration of the Housing Department plead the case of those who already get a free ride, now they also want free parks.

What is not discussed is the Inclusionary Housing Policy that will disperse these slums, these breeding grounds for the criminal element into every established neighborhood in the City. Get used to more; graffiti, crime, vehicles, traffic, trash and undesirable people.

The Vice-Mayor made an inquiry into the "quality of life" issues concerning these housing projects. Someone has told "the Devil's Lie" to her. These projects take down neighborhoods. Government Housing Projects are a bane to established neighborhoods.

That's right. People who do not have the required skills to command a decent salary to live in the Bay area (or even the right to be in the United states) are being conferred an entitlement by the San José City Council to live amongst those who; have worked hard, sacrificed, saved, and deserved to have a piece of the American dream.

The entitlement, communism by the appropriate definition, will place these housing projects in established neighborhoods that have paid into the aforementioned Park Fee structure.

Who benefits from these Housing Projects not paying their fair share? They are; Politicians who give away taxpayer money for votes, Developers, highly paid and benefited City administrators, not to forget those that already get a free ride.

So why are we having this discussion? Twenty one years of a free ride is twenty one years too much. Continue the exemption of PDO / PIO fees? More people, more slums tearing up neighborhoods and Parks for free? Get out of here.

Respectfully submitted,

Cc: City Attorney / City Auditor / City Manager
San José-Silicon Valley Chamber of Commerce

David S. Wall
09.03.09

David S. Wall

PUBLIC RECORD 0

RECEIVED
San Jose City Clerk

September 3, 2009

2009 SEP -3 P 4: 23

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

Re: Councilmember Constant sorely missed at RULES!

San José's *Finest* on the mend but, needed to fend off waste and corruption at RULES.

Itinerant administrators from Office of City Manager maneuver for position.

Hurry back Pete!

Councilmember Constant, as a member of *San José's Finest* was wounded while on duty during an event of close order combat with the criminal element some years ago. He is currently on the mend from recent surgery to address wounds sustained while placing the aforementioned criminal element into submission for judicial action. His presence is sorely missed at RULES.

I inherently know that Councilmember Constant is working very hard to better the lives of the San José taxpayers; from both the hospital bed where boredom is worse than pain and from the confines of the curtilage.

It is still tough though, to be in the back of the RULES Committee meeting room, watching the itinerant administrators from the Office of the City Manager try to pass off their shameless and intellectually indigent program adjustments and budget items without the presence of Councilmember Constant.

Mayor Reed, Vice-Mayor Chirco, Councilmember Pyle and Councilmember Nguyen have all done a very fine job beating back waste and corruption on their own. However, nothing comes close to Councilmember Constant's ever watchful eye and rapier wit to place the stray dogs from the Office of the City Manager back into their respective kennels.

I will still chronicle the events at RULES, waiting for Councilmember Constant's triumphant return back into the fray.

Hurry back Pete!

Respectfully submitted,

David S. Wall
09.03.09

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Cc: City Attorney / City Auditor / City Manager

From the Desk of Diane Kim

PUBLIC RECORD P

August 6, 2009

Office of Parks, Recreation and Neighborhood Services
Therapeutic Services
ATTN: DONNA HEPP

Dear Donna:

I wanted to share a note of appreciation for this program, Summer Play Camps I and II, and programs like it through the office of Therapeutic Services.

For this summer, I scoured through all the Parks and Recreation programs for over nine cities, from Redwood City down to Gilroy, seeking appropriate recreation and/or therapeutic activities for my 7 year old son, Jeremy, who has autism. I knew the Silicon Valley prided itself in its diversity, which includes the Special Needs community. Yet for all my searching, the City of San Jose was the only one I found with such a program as this, uniquely dedicated to serve low-functioning Special Needs kids. To me, it speaks volumes to the high regard and priority San Jose holds for them.

The Bay Area is well documented for having a high concentration of Special Needs cases. As a result, private therapy resources are relatively many. However, due to the extremely limited window of interests that is common to ASD kids, opportunities for developmentally appropriate *recreation* are disproportionately low, especially compared to options available to typical children. Needless to say, respite and recreation are hard to come by for families like ours.

My son Jeremy is non-verbal, but I could clearly tell how much he loved getting up each morning to go to Day Camp. If he dragged his feet getting ready in the morning, the reminder/threat of, "Ok then. No Day camp..." was enough to get him hustling to put his clothes on and immediately protest, "YES, Day camp!" Each afternoon at pickup, seeing the delight in my child reassured me that he'd had a GREAT time, even if he lacked the words to express it.

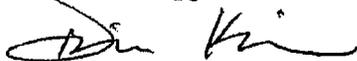
I was very impressed with the Staff, who were extremely enthusiastic and clearly enjoyed being with our challenging kids. I appreciated the comparatively high ratio of staff to children, who could provide the level of safety and attention our kids require, and deserve.

Throughout the year, Jeremy is usually in some kind of therapy or intensive work environment for at least eight to nine hours a day. For him to have FUN, knowing that he was being supported by dedicated professionals who clearly enjoyed him, thoroughly validated our daily, one hour drive from Los Altos to Campbell -- not to mention my waiting in the car for four hours each day while he participated. To see my how much my child benefits from a program like this, also benefits *me*. I would gladly drive a hundred miles for that.

Despite the economic times, I earnestly hope programs like this can continue, as well as expand. There is such a need for it. I know that if more families knew about it, there would be even greater interest and participation.

Kudos to the City of San Jose for serving our kids through such a great program.

With much appreciation,



Diane Kim
Mother to Jeremy Kim, age 7