



# Memorandum

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

**FROM:** Dennis Hawkins, CMC  
City Clerk

**SUBJECT:** The Public Record  
February 11-17, 2011

**DATE:** February 18, 2011

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**ITEMS TRANSMITTED TO THE ADMINISTRATION**

**ITEMS FILED FOR THE PUBLIC RECORD**

- (a) Letter from Vince & Robin Milewski to Mayor Reed and Council dated February 7, 2011 regarding a Liquor License for Walgreens on Hamilton and Meridian.
- (b) Letter from David Wall to Mayor Reed and Council dated February 17, 2011 regarding "The Ghetto Life: Update of SCEP...the disappeared toilet investigation is suspended."
- (c) Letter from David Wall to Mayor Reed and Council dated February 17, 2011 regarding "Public Safety, Finance and Strategic Support Committee holds city staff accountable"
- (d) Notification letter from T-Mobile West Corporation as successor in interest to Omnipoint Communications, Inc. d/b/a/ T-Mobile (U-3056-C) to Consumer Protection and Safety Division dated February 16, 2011 for T-Mobile Site No. SF54977A.

Dennis Hawkins, CMC  
City Clerk

DH/tld

**Distribution:** Mayor/Council  
City Manager  
Assistant City Manager  
Assistant to City Manager  
Council Liaison  
Director of Planning  
City Attorney  
City Auditor

Director of Transportation  
Public Information Officer  
San José Mercury News  
Library  
Director of Public Works  
Director of Finance

Dear Councilmember Pierluigi Oliverio,

Feb. 7, 2011

FEB 9 - 2011

PUBLIC RECORD     a    

A short week from now you will be voting for or against a liquor license for Walgreens at Hamilton & Meridian.

I place my trust in your good judgment as evidenced by your past record. This remains a critical point in the City's overall strategy. Will San Jose remain a community that shows commitment to safe secure family neighborhoods? We have young families raising children here as well as day schools (K-8) close by, Good Shepherd Lutheran Church w/ Carden private school sharing facilities. We don't need enormous, sprawling liquor and marijuana outlets competing with our educational and nurturing ~~and~~ environments.

Just within the past week we've witnessed a new drug paraphernalia business spring-up at our near corner (1506 Meridian). If no oversight of such businesses is now in place we can only hope that such will be brought forth. Perhaps the business license will take account of nearby elementary schools and subject to neighborhood hearings as we now do in the case of excessive liquor licenses.

Many eyes will be watching the course our City Council chooses on Tuesday, February 15th. We are hoping for a good Valentines remembrance for 2011.

Sincerely,  
Vince & Robin Milaster

To whom it may concern:

We, the neighborhood of Willow Glen are against the conditional use permit to sell alcohol at a major retail/pharmacy (Walgreen's at the corner of Hamilton and Meridian Avenue's) and or cigarettes to the general public to our neighborhood. We feel they should concentrate on their medications. If you agree please sign our petition.

Signature A.V. Milewski Print A.V. Milewski Phone                     

Signature Robin Milewski Print R.L. Milewski Phone                     

Signature Clara Campbell Print Clara Campbell Phone                     

Signature Brian Quist Print Brian Quist Phone                     

Signature SARA MORDEZAI Print SARA MORDEZAI Phone                     

Signature Sue Livingston Print Sue Livingston Phone                     

Signature John Arkins Print John Arkins Phone                     

Signature NANCY GREENWOOD Print NANCY GREENWOOD Phone                     

Signature SEAN MULCASTER Print SEAN MULCASTER Phone                     

Signature Tiffany McLaughlin Print Tiffany McLaughlin Phone                     

Signature CAROL UNDERWOOD Print CAROL UNDERWOOD Phone                     

Signature BOSS MOSS Print BOSS MOSS Phone                     

Signature Valerie Print Valerie Phone                     

Signature Guadalupe Alvarez Print Guadalupe Alvarez Phone                     

Signature Benito Morales Print Benito Morales Phone                     

Signature Gina Millett Print Gina Millett Phone

David S. Wall  
P.O. Box 7621

RECEIVED  
Jose City Clerk

February 17, 2011

2011 FEB 17 P 12:19

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...the disappeared toilet investigation is suspended.**

On Monday (02.14.11), before the **Budget Priority Study Session** which later condemned active duty City employees to be sold into slavery and the retirees, well, were tentatively scheduled to be exterminated, I ventured over to North Tenth Street @ Horning Street to "take the pulse" of the SCEP (Shopping Cart Entitlement Program). I arrived on station at approximately 1002 hours and found thirteen (13) stolen and abandoned shopping carts. *A 550% increase as to the number of stolen and abandoned shopping carts from last week is hereby recorded.*

The "perennial garbage pile" (PGP) is growing again. The area behind the Horning Street railroad crossing control box continues to be a latrine. The "toilet" is still missing, but, the investigation has been suspended. The few leads were exhausted and we can only hope that someone else will illegally dump off another toilet to serve those who are in need of a seat to do their business. However, someone has dropped off a large cooking "Wok" that could be used as a replacement toilet. This "Wok-toilet" will present a problem for those with bad knees, bad hips or amputated leg parts. You have to squat pretty low or you have to have a good "aim" to use the new waste receiving receptacle. A 5-gallon stock pot would be much preferred.

The "perennial growing debris field" (PGDF) north of the Horning Street railroad crossing control box, the garbage and assorted debris field has grown in size and stature. Debris from the San José Metals fire is still present near the railroad tracks. No vagrants were sighted today.

"*The Golden Falcon*" CA # JT 9621 *is still* at the N.W. corner of Horning Street @ North 10<sup>th</sup> Street. A Bronze/Orange, late model Ford Fairlane, CA# 462 UWK associated with the aforementioned trailer was parked at the rear of the trailer. A late model, **Dodge Sportsman motor home** CA# 525 WJY is parked south bound on N. 11<sup>th</sup> Street by Santa Paula Avenue. The travel trailer, "*All Scouts Plus*" CA # FQ 3542 *is still* on the N.E. corner of Santa Paula Avenue @ North 11<sup>th</sup> Street. Garbage build up in the area of Santa Ana Ave. @ N. 11<sup>th</sup> Street is significant.

**Ownership of the stolen and abandoned shopping carts is as follows;**

Tropicana Foods (2), Toys "R" Us (2), Target (1), Albertson's (1), Mi Pueblo (1), CVS Pharmacy (1), Dal Thanh Supermarket (1), Dollar Tree (1), Costco (1), Smith's (1) and WalMart (1).

\*"Unmarked stolen and abandoned shopping carts have been "purposefully altered" to shield true identity.

\*\*\***special note**\*\*\* the overall cleanliness of shopping carts picked up off the streets and returned to stores should be addressed by some governmental agency. Unsuspecting customers may use excrement coated shopping carts without their knowledge. Shopping carts picked up off the street are "filthy" and are potential reservoirs of microbial agents waiting to spread contagion(s).

*Respectfully submitted,*

*David S. Wall*

02.17.11

Cc: City Attorney / City Auditor / City Manager

David S. Wall  
P.O. Box 7621

RECEIVED  
San Jose City Clerk

February 17, 2011

2011 FEB 17 P 4: 50

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

**Re: Public Safety, Finance and Strategic Support Committee holds city staff accountable!**

**Bonuses and "cash awards" for Attorneys Auditors and Finance Administrators were discussed!**

**Bonus and "cash awards" for the administration were not discussed. They are lucky to have their jobs.**

The **Public Safety, Finance and Strategic Support Committee's** second meeting of the year (02.17.11) was yet another excellent example of "performance based" service by Councilmembers Constant, Chu, Oliverio and Vice-Mayor Nguyen. The voting citizens of San José are well served.

**Under the Chairman Constant's leadership, the agenda was thoroughly discussed, especially the issue of the Workers' Compensation Administration report.** Chairman Constant's on point analysis to the inaccuracies with reference to comparing different agencies approach to Worker's Compensation issues almost caused the representatives of the administration to either; soil themselves, gnash their teeth with uncontrolled weeping or both. Luckily, those events did not take place. (At least not in public.)

**Vice-Mayor Nguyen's** skillful analysis of the **Workers' Compensation Administration report** furthered the debate and added to the acceptance of the administration's report. Her questions were very helpful to clarify the very murky and muddled aspects of the report appropriately challenged by his Honor, Chairman Constant.

**Councilmember Chu** provided requisite insight on the Worker's Compensation Administration's report. His Honor's further questioning brought a calming effect upon the administration thus, a second chance of administrative life was given with reference to their report almost being rejected out of hand.

**Councilmember Oliverio,** continues to "shock and awe" everyone with his mastery of the issues at bar. Team San José's bemoaning of excuses why they were over budget was granted an appropriate level of forgiveness with reference to vacation pay expenses of city employees. His Honor's steadfast "right as rain" approach to ridding the city of the "Hayes Mansion" is of great service to all taxpayers.

**The retention of expertise and to reward performance, with reference to "Bonuses- tax free cash awards" as a tool for retaining high valued staff; the Attorneys, Auditors and Finance Administrators was discussed. The rationale, superlative service and performance demands "tax free cash awards" in the form of "Bonuses" is the only acceptable methodology to reward this cadre of elite professionals. "Cash always speaks louder than words".**

The Office of Economic Development's acquisition of the Real Estate responsibilities of General Services generated whispers in the gallery, "The only thing worse than this is...you fill in the blank\_\_\_\_\_.

*Respectfully submitted,*

*David S. Wall*  
02.17.11

Cc: City Attorney / City Auditor / City Manager

**T-Mobile**

T-MOBILE WEST CORPORATION a  
Delaware Corporation  
1855 Gateway Boulevard, 9<sup>th</sup> Floor  
Concord, CA 94520

February 16, 2011

Anna Hom  
Consumer Protection and Safety Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

**RE: T-Mobile West Corporation as successor in interest to Omnipoint Communications,  
Inc. d/b/a T-Mobile (U-3056-C):  
Notification Letter for T-Mobile Site No. SF54977A:**

This letter provides 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 with regard to the project described in Attachment A:

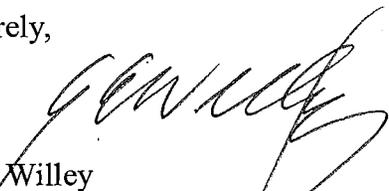
(a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.

(b) No land use approval is required because

\_\_\_\_\_  
\_\_\_\_\_

A copy of this notification letter is being sent to the local government agency identified below for its information. Should the Commission or the local government agency have any questions regarding this project, or if anyone disagrees with the information contained herein, please contact Garry Willey, Senior Engineering Operations Manager for T-Mobile, at 925-521-5941, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at 415-703-2699.

Sincerely,

  
Garry Willey  
Senior Manager for T-Mobile  
T-MOBILE WEST CORPORATION a Delaware corporation

Enclosed: Attachment A

**ATTACHMENT A**

**1. Project Location**

Site Identification Number: SF54977  
Site Name: Pole Cap 1220 Priscilla  
Site Address: 1220 Priscilla Dr, San Jose, CA. 95129  
County: Santa Clara  
Assessor's Parcel Number: RIGHT OF WAY  
Latitude: N 37° 18' 10.15"  
Longitude: W 121° 59' 8.56"

**2. Project Description**

Number of Antennas to be installed: 3  
Tower Design: Pole Cap  
Tower Appearance: Pole  
Tower Height: 33.8'  
Size of Building: n/a

**3. Business Addresses of all Governmental Agencies**

<b>City of San Jose Debra Figone, City Manager 200 East Santa Clara St. San Jose, CA 95113</b>	<b>City of San Jose Lee Price, City Clerk 200 East Santa Clara St. San Jose, CA 95113</b>	<b>City of San Jose Joseph Horwedel, Planning Director 200 East Santa Clara St. San Jose, CA 95113</b>
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**4. Land Use Approvals**

Date Zoning Approval Issued: 2/3/2011  
Land Use Permit #: 060010  
If Land use Approval was not required: N/A