

Almaden Valley Community Association
Meeting Location
Almaden Community Center, 6445 Camden Avenue
Monday, January 10, 2011

AVCA President Jerry Mungai opened the meeting at 7:02 pm. He started by introducing three special guests:

Kathy Sutherland, Chief of Staff for Councilmember Nancy Pyle
Jeremy Dennis, an aide to Rich Gordon, State Assembly Member for District 21.
Leslie Reynolds, Board Member for San Jose Unified School District

Jerry introduced the two speakers for the evening, both representing the San Jose Police Officers Association, which will be abbreviated as SJPOA in these notes. George Beattie has been president of the SJPOA since 2010. Beattie is a New Yorker with a bachelor's degree from Iona College. He left the NYPD in 1988 to join the San Jose Police Department where he now has the rank of lieutenant. Jim Unland has been vice president of the SJPOA since 2009. His BS is in business, and he also joined the SJPD in 1988. His rank is sergeant, and besides patrol, Unland has been a member of several special units.

Each of the officers expanded their official biographies. Beattie noted his civil service history, the son of a firefighter who was the son of a trolley driver. Unland is local; son of an IBM employee, he grew up in western Los Gatos. His home was conservative and Catholic, so his role in the SJPOA is a bit surprising.

As officers in the SJPOA, their goal is to carry the organization through the current downturn and to do more community outreach like this meeting. Beattie said that, in general, the goals of the SJPOA are tightly aligned with those of the Chief of Police. For instance, police corruption is simply not to be tolerated. Even so, there are some times when the SJPOA and the police administration have disagreements.

The San Jose Police Department is currently in transition to a smaller department, both organizationally and numerically. Part of this shrinkage is the de-emphasis of special units, like narcotics and gang task forces. Right now, there are 1250 cops in San Jose, and that number is likely to drop to 1200 in June. Since San Jose is around a million people, that comes to 1.2 officers per thousand residents. The national average is more like 2.5 officers per thousand residents.

Negotiations between the city and the SJPOA will start on January 12. While Beattie and Unland will be at the table, the heavy lifting will be done by the SJPOA attorneys and the SJPOA Chief Financial Officer, Franco Vado. The city team will be led by Alex Gurza, Director of Employee Relations. Beattie said that the taxpayers are well served by Gurza, who is responsible for negotiating with all eleven bargaining units in the city. Last year's negotiations took six months, and Unland felt that there was no chance of agreement when they first started. He feels the same way now, but experience indicates that somehow things will get worked out.

A word about the mechanics: After the negotiating teams have an agreement, it is taken back to the SJPOA board, and ultimately to the SJPOA membership for agreement.

In general, the San Jose police officers are highly qualified. Almost all have a bachelor's degree or higher. There is even a Ph. D. in psychology among them. Even with all that professionalism, the give-backs provoke some very emotional reactions.

Some of those emotions are directed toward Mayor Chuck Reed. The SJPOA feels that they were blindsided by Measure W's being put on the last ballot. Similarly, the elements of Measure V could have been negotiated. The process by which these two measures reached the public has created mistrust between the SJPOA and Mayor Reed.

Beattie and Unland recognized the discomfort arising from a 90% pension after 30 years. They explained that this number is reached in a back-loaded progression. Over the first 20 years, the pension accrues at a rate of 2.5% per year, then it accrues at a rate of 4% a year and caps at 90%. However, most retiring officers do not achieve the full 90%; of 106 that retired over the past year, only 4 got to that level. The more typical pension is 75%. As civil servants, police are not part of the Social Security system. They contribute 22% of their gross pay into the retirement plan, and the city contributes the balance required to cover the payments. If a retired officer dies without dependents, his heirs get the un-expended portion of the direct contributions. That number is augmented by a 2% annual interest rate. If an officer leaves a widow, she will receive 37% of the final pay as an ongoing benefit. Furthermore, there is currently an automatic COLA at a 3% annual rate.

The speakers made the point that the back-loaded pension vesting is an important factor in retaining experienced officers. It costs a bit more than \$130,000 to train a police officer, and it would be tragic if San Jose became a department where people came to train and then leave. In addition, the overall compensation picture is a factor in drawing highly qualified officers away from other professions.

At this point, the talk became more of a Q&A session, which will not be reproduced here in detail, but the following paragraphs should capture the sense of the discussions.

AVCA comment: The high cost of public employees is unsustainable.

Speakers: That is probably a worldwide problem.

AVCA comment: Do other city expenditures, like expanded library hours, athletics, parks, etc. really do anything to diminish crime?

Speakers: Not clear.

Beattie and Unland said that, as the downsizing continues, you will probably see about as many patrol cars, but less visible roles will vanish. So far, the narcotics unit has dropped from 40 officers down to 11. The anti-gang unit has been merged into the Metro unit.

Back to training: While there may have been a thousand applicants each time the SJPD recruits, recent academy classes have not been filled because only about 2% of the applicants are qualified. The killer on a plurality of the rejections has been the background check. Recent drug use is a common problem. The SJPOA is pleased that San Jose has not reduced their standards.

AVCA Comment: The city spends its funds on too many non-core services, including the support of illegals.

Speakers: When your household budget is under stress, do you cut the mortgage by 10%, groceries by 10%, dining out by 10%, or do you prioritize and support the essentials first?

AVCA Comment: At a time when most workers in the private sector are dependent on 401k plans, some of which have been eviscerated, your large, defined benefit pension plans are a source of both anger and envy in the community.

Speakers: A two-tier retirement program is a given. It will be a challenge to come up with a good one. The SJPOA is searching among other communities to find practices that work well enough to become part of the San Jose plan. The SJPOA tries hard to be a responsible partner. We have reached agreements that make it easier for the city to bring other bargaining units around.

We are concerned that the police salaries will also go down if the economy continues to go down. Cops are here to take care of your problems. A 20% or 30% cut in pay might give them so many problems of their own that the citizens' problems would get less attention.

Business Meeting

President Jerry Mungai opened the business meeting at about 8:10 pm. Board Members present included:

President: Jerry Mungai,
Vice President: Pat McMahon,
Treasurer: Bob Boydston,
Directors: Susan Bailey, Steve Levin, Joe Boudreau, and Bob Strain,

With only Secretary Ray Strong absent, we had a quorum.

Jerry Mungai started by introducing Jeremy Dennis who explained that when the legislature is sitting, Assemblyman Rich Gordon can only make a Friday night appearance, but Jeremy offered his help for any state problems. He will email the AVCA so folks have his contact information.

Kathy Sutherland started her report by noting that redistricting is coming to San Jose, and that Dave Fadness, who was in the room, has been appointed to the redistricting commission. Dave pointed out that the process cannot start until the block-by-block census data is available. He and Terry Christiansen wrote an Op Ed for the Mercury News in which they urged early involvement and cited the need for more flexible deadlines. [That Op Ed is appended to these minutes.]

Pat McMahon asked about the precision required for redistricting, and Dave responded by saying 5%, and that was mandated by a Supreme Court decision.

Fadness committed to keep AVCA informed about the redistricting progress.

Sutherland distributed a two-page summary of the planned improvements to 0.9 miles of Almaden Expressway, from north of Branham Lane to just south of Blossom Hill Road. This is a Santa Clara County project. ([Link to project description](#))

Finally, she distributed copies of the August 2010 issue of Urbanist, which is published by the San Francisco Planning and Urban Research Association (SPUR). The cover reads, "Learning from San Jose," and 28 out of the 32 pages discuss San Jose and its planning activities.

President Mungai asked for approval of the December 2010 minutes which had been distributed by e-mail and corrected. Steve Levin requested that the \$10 tax increase (auto fees) be described consistently. That change was made, and the minutes were approved.

President Mungai noted that the Treasurer's Report (attached at the end of these minutes) had been distributed by e-mail and asked if there were any questions about that report. No questions were asked, and this year-end report will go onto the Web site as the 2010 Annual Report.

Treasurer Bob Boydston noted that he is the only officer with authority to sign checks for the AVCA, and that is not an acceptable situation. There was a lively discussion of how many other signers would be required and who they should be. Finally, Bob moved that: "The AVCA will designate Pat McMahon, presently Vice President of AVCA and nominee for President, as an alternative authorized signer for AVCA banking transactions at US Bank and Franklin Templeton Investments, in addition to Bob Boydston, Treasurer." Strain seconded the motion, and it was adopted unanimously.

Lee Dimmitt asked Kathy Sutherland about plans to do a large residential and commercial development in the Green Preserve, just off of McKean Road. Kathy's answer was short, "No way!" Strain noted that the request from San Jose Unified is still on the Planning Commission's list.

Steve Levin, in reporting on Transportation, said that work will begin in March to add another lane each way on Almaden Expressway between Blossom Hill Road and Branham Lane. The new lanes will facilitate moving traffic on and off of Highway 85. (This is the project on which Sutherland had distributed information.)

Bob Boydston announced that he is no longer on the Neighborhood Commission.

Bob Strain thanked Kathy Sutherland for her time and support. He noted that a Planning and Zoning Report (attached at the end of these minutes) had been sent to all members of the board. With nothing urgent, we moved on.

Jerry Mungai, noting that there had been problems with style and punctuation in our minutes, asked Linda Spencer if she would mind acting as "Style Chairman" for the AVCA. She agreed.

Jerry Mungai said that when he tried to reserve this room 3 for the second Monday of January through June 2011, he was told that that evening had already been reserved for April and May. Consequently, he took the second Tuesdays for those two months rather than accepting a smaller room. This move was criticized because a consistent night is a good thing. Dimmitt noted that in the past, that type of problem had been solved by using either the first or third Monday. At the end of the discussion, Jerry's move was accepted as a fait accompli. Thus, the remaining AVCA meetings for the first half of 2011 will be in Room 3 of the Almaden Community Center on Monday, February 14; Monday, March 14; Tuesday, April 12; Tuesday, May 10; and Monday, June 13.

Time has come to elect new officers, and Mungai's 2011 schedule precludes his continuing as president. Based on discussions at the December 13, 2010 meeting, the following slate was proposed:

| | |
|------------------------|---------------------|
| President: | Pat McMahon |
| Vice President: | Joe Boudreau |
| Secretary: | Ray Strong |
| Treasurer: | Bob Boydston |

Susan Bailey moved that the slate be adopted. Strain seconded, and the slate was adopted unanimously.

While there was some confusion on whether there had been a prior mailing, Lee Dimmitt committed to submit the slate to the entire AVCA membership for an electronic vote.

The Rotary sign (“Welcome to Almaden Valley”) came up, and Levin questioned its utility. Furthermore, there is no concrete proposal on the table. With the press of time, there was no opportunity for discussion, so Bob Boydston volunteered to research the project so we know what we are actually considering.

We do not have a committed speaker for the February 14 meeting. Several participants said that because we have a backlog of business, not having a speaker would be a good idea. This was echoed by Kathy Sutherland. Next month, the entire meeting will be devoted to AVCA business.

President Jerry Mungai adjourned the meeting at 8:56 PM.

Draft Minutes submitted on January 22, 2011

Minutes approved as submitted on February 14, 2011

Bob Strain, Acting Secretary in the absence of Ray Strong, Secretary

Opinion: San Jose council districts will drastically change; get involved early

By Terry Christensen and David Fadness
Special to the Mercury News

Posted: 01/09/2011 12:01:00 AM PST

Big changes are coming when San Jose's City Council districts are redrawn this year. We hope our city's leaders and citizens will pay close attention and get started early. We emphasize this because the redistricting timeline is extremely tight. If people wait until maps are published at the end of the process, it may be too late to have much influence. Some districts have grown more than others. By law (one person, one vote), every 10 years following the census, district lines must be revised to equalize their population. Our city charter requires the City Council to appoint a redistricting commission with one representative for each council district plus a chairperson appointed by our mayor by Feb. 1.

The commission then has 120 days to deliver its report to the council for final review.

The requirement to keep San Jose's 10 districts roughly equal in population -- approximately 100,000 people each in 2011 -- sounds fairly straightforward. The challenge is drawing district lines to keep various communities of interest intact, avoid gerrymandering or moving council members out of their districts and to observe physical boundaries, among other considerations.

It's a complicated and potentially contentious task.

When we served on the redistricting commission 10 years ago, the required block-by-block census data didn't become available until April. That left only about two months to draw new maps and give the public an opportunity to be heard.

Time will be short again this year. The 2001 redistricting commission recommended a charter amendment that would allow a more flexible deadline. Council members acknowledged the problem but couldn't justify an expensive ballot measure to fix it.

San Jose residents need to start paying attention now, especially because dramatic changes in some district boundaries are inevitable.

In 2001, our commission chose to alter existing district boundaries as little as possible.

That preserved and nurtured emerging district identities, but it required accepting near-maximum constitutional variations in district populations. The resulting plan passed legal muster and won community approval because it was minimally disruptive

That won't happen this time.

District 1, for example, hasn't grown much, but it will have to add 15,000 to 20,000 residents to adjust for growth elsewhere in our city. Check your map: District 1 in West San Jose can only expand easterly into District 6 (Rose Garden/Willow Glen). Also slower growing, District 6 will have to absorb parts of other districts to compensate for population it loses to District 1 -- and add more to achieve the 100,000 average.

ALMADEN VALLEY COMMUNITY ASSOCIATION

ID 770307114

12/31/10

ACTIVITY STATEMENT

START
01/01/10
\$9,026

AVCA

NET CURRENT
TOTALS CHANGE BALANCE

INCOME

| | | | | |
|-----------------|-------|-------|--|--|
| Membership dues | \$780 | | | |
| Interest | \$0 | \$780 | | |

EXPENSES

| | | | | |
|------------------|-------|---------|--------|---------|
| Membership Costs | \$136 | | | |
| Constant Contact | \$72 | | | |
| Community Room | \$346 | | | |
| Forum | \$197 | | | |
| 2nd Forum | \$301 | \$1,051 | -\$271 | \$8,755 |

RESERVE FOR PREPAID DUES

| | | | | |
|------|--|--|--|-------|
| 2011 | | | | \$415 |
| 2012 | | | | \$210 |
| 2013 | | | | \$20 |

AVCA TOTAL \$9,400

ARK FUND

| | | | | |
|--|---------|--|-----|----------------|
| | \$6,354 | | \$0 | <u>\$6,354</u> |
|--|---------|--|-----|----------------|

GRAND TOTAL \$15,754

POSITION STATEMENT

| | | | | |
|-------------------------|----------|--|--|-----------------|
| USBank checking account | \$512 | | | |
| Franklin Money Fund | \$15,242 | | | |
| Pending Deposit | \$0 | | | <u>\$15,754</u> |

R. Boydston, Treasurer

To: AVCA Board

From: Bob Strain

Date: January 9, 2011

Subject: Planning and Zoning

Almaden Valley did not appear in the Planning Director and Board agenda for January 5. I have not yet gotten on board for the Envision 2040 process, but I did meet with Kathy Sutherland on December 20. We discussed a wide variety of issues, including her view of Envision 2040.

I have attached a fragment of the December 15, 2010 planning map to this note, and it will help my discussion.

On the left side of the map, note PD10-024. This is nearly 16 acres currently occupied by four commercial buildings. One of the four is occupied by Monolithic Power Systems, but the others are vacant. The site is a mixture of trees and parking lots.



I don't know the whole history of the site, but MPS cannot afford to occupy the entire 16 acres, so there are applications on the table to raze the commercial structures and build 89 residences on the site, putting the density at about six per acre. According to Sutherland, the current development builds almost up to Guadalupe Creek, which separates the property from Hicks Road. Council member Pyle has recommended that there should be a 70-foot riparian corridor. At one time, this must have been an attempt to create a reverse commute site, but it seems sub-critical. This is not really in Almaden Valley, but it is close.

A more critical development is known as the Mazoni property, identified as PD10-014. This site is 1.78 acres, and applications to subdivide this into 19 (!) lots and to build a total of 16 single family residences are under review. Sutherland believes that this

project will ultimately be approved. As I recall, there have been critical comments from the neighbors during earlier AVCA meetings. Access and traffic are concerns.

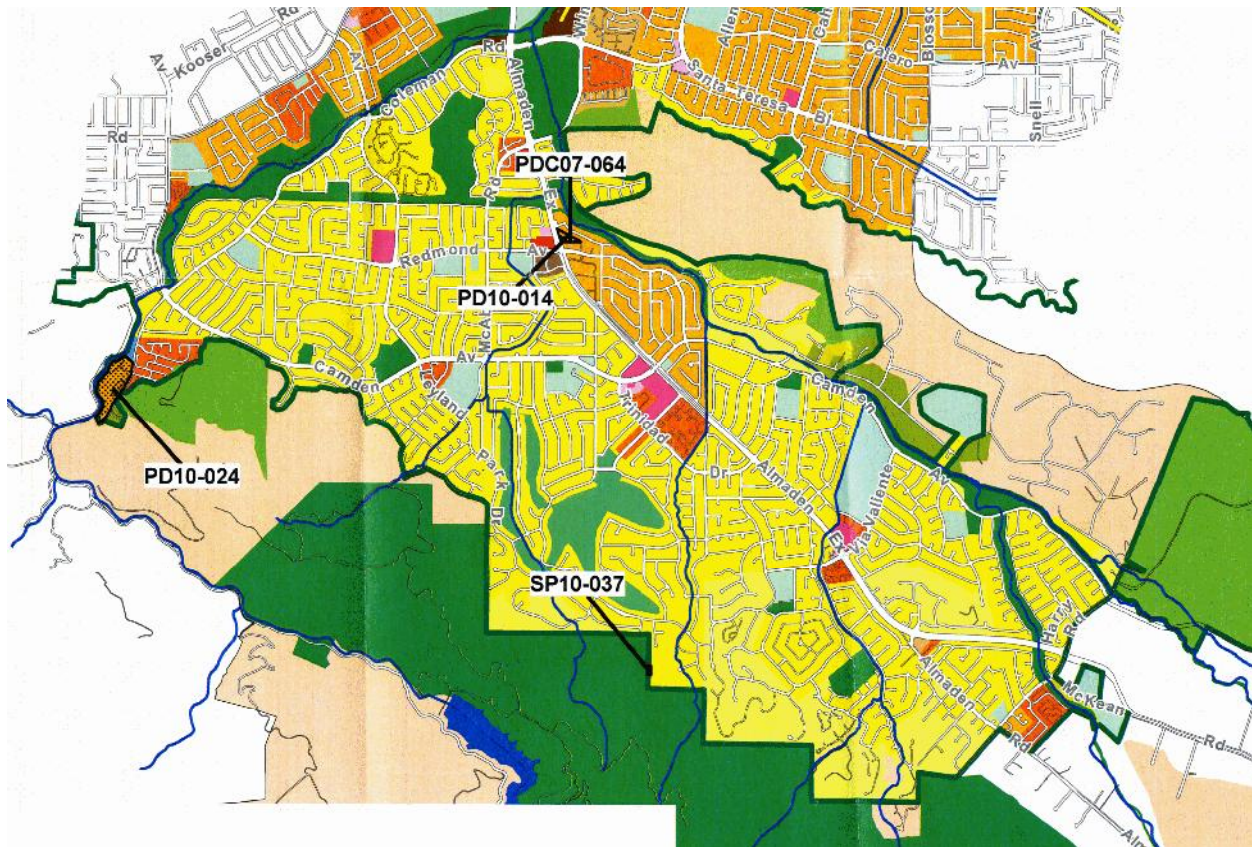
While it doesn't appear on the map, there are also proposals to fill out some of the vacant space off Paseo los Cerritos, just north of Camden. That is at the peak of the hill.

I asked Kathy about an overview of Envision 2040, particularly in terms of its general objectives. She described two important objectives as increasing the ratio of business to residential occupancy in San Jose, and decreasing the pressure on the roads. While Almaden Valley will be almost totally unaffected by the thrust of the new plan, Blossom Hill Road between Almaden Expressway and Santa Teresa Boulevard will become very urbanized. Blossom Hill will no longer be an effective through route because of increased commercial and residential density. This is a reflection of stressing development along public transit corridors. In my opinion, there is a lot of wishful thinking about increased transit use; a better communications backbone (fiber optics) might do more to get people off the roads. (I have done a lot work in Tokyo, where public transit really works, and the roads really don't.)

I also asked about whether there had been any benefits from prior general plans. She felt that they have helped preserve the green line around San Jose, and facilitated the business and residential development in both down town and North San Jose.

Other notes: Office of Economic Development has been looking at the P-W Super site, but we should not expect a quick replacement for that store. The Almaden Mining Company wants to put a destination restaurant with a full bar in the space vacated when Blockbuster closed.

Looking forward, it is clear that we need to pay more attention to Envision 2040. I welcome your inputs on whether we need to get more inputs on the Guadalupe Mines development. (I think it will change the nature of the traffic passing through the Coleman Guadalupe Mines intersection, but probably not the volume.)



Map Legend

| | | | |
|--|---------------------------------------|--|---|
| Rural Residential (0.2 DU/AC) | Office | Industrial Park | Public Park and Open Space |
| Estate Residential (1.0 DU/AC) | Neighborhood/Community Commercial | Administrative Office/Research & Development | Private Open Space |
| Very Low Density Residential (2.0 DU/AC) | Regional Commercial | Research/Development | Private Recreation |
| Low Density Residential (5.0 DU/AC) | General Commercial | Campus Industrial | Non-Urban Hillside |
| Medium Low Density Residential (8.0 DU/AC) | Core Area | Light Industrial | Urban Hillside |
| Medium Density Residential (8-16 DU/AC) | Transit Corridor Commercial | Heavy Industrial | Agriculture |
| Medium High Density Residential (12-25 DU/AC) | Combined Residential/Commercial | Combined Industrial/Commercial | Urban Reserve |
| High Density Residential (25-50 DU/AC) | Planned Community * | Industrial Core Area | Coyote Greenbelt |
| Transit Corridor Residential (30+ DU/AC) | Neighborhood Business District | Public/Quasi-Public | Mixed Use Overlay |
| Residential Support for the Core Area (30+ DU/AC) | Transit-Oriented Development Corridor | Airport Approach Zone | Mixed Industrial Overlay |
| Transit/Employment Residential District: 55+ DU/AC | State Transportation Corridor | Arterial (115-130 ft.) | Floating Park |
| Solid Waste Disposal Site | Expressway | Arterial (80-106 ft.) | Urban Service Area Boundary |
| Candidate Solid Waste Disposal Site | Interchange | Major Collector (60-90 ft.) | Greenline / Urban Growth Boundary |
| Contingent Designation | Separation | Pedestrian Corridor | Urban Service Area Boundary - Greenline / Urban Growth Boundary (Coterminous) |