

Primrose Neighborhood Association Meeting Minutes August 12, 2010

Police Update - Lt. Jason Ta of San Jose Police Department

- **National Night Out**

No police were available to attend any of the National Night Out parties due to a bomb threat near downtown San Jose.

- **“Farm House” (Williams Rd. house)**

Any code violations (weeds, etc.) are not really a police matter. The City Attorney could file nuisance abatement if there were lots of smaller issues and would fine or evict the owner. (for example: this is used for bars when there have many fights or drug dealing incidents).

For any issues, the property owner or bank (if bank owned) has to be a victim and complain to the police. It is really driven by owner complaint, for example: if there were trespassers on the property, the police would have to contact the owner to see if they have given the trespasser permission to be on the property before they could arrest anyone.

- **Question and Answer**

Question: Are there more tickets being written to increase revenues?

Answer: No, the number of tickets has not increased. Most officers don't like writing them. The money from the tickets does not go to the Police Department anyway. Most of it goes to the State of California and the County of Santa Clara. Anything left over after that goes into San Jose's General Fund.

- **Updates**

Lt. Ta gave an update of various crimes that occurred in the district in the last 3 months. Here are some of the more recent events:

- 8/10 – Loma Verde – a search warrant was executed and armed robbery suspects were arrested
- 8/7 – Stevens Creek (Cupertino side) – bank robbery, a note job. There was a short foot pursuit and the suspects escaped. (Note: apparently if you rob a bank using a note, you will only get probation)
- July – Cadillac Drive – assault
- 7/28 – De Anza – bank robbery

Lt. Ta said that most of the robbers are from the East and North Bay. They find it easy to do their robberies in San Jose because of the freeway access.

- **Budget/Police Negotiations**

Negotiations with the Police Department were successful. There will be no police layoffs. The contract was ratified by a 3:1 margin by the union. Police officers will take a cut in base pay and will offset pension contributions normally made by San Jose. Eight officer positions were saved permanently and additional ones were saved for one year. There are still less officers than last year as some have retired and will not be replaced.

- **General Police Department Information**

- 4-5 officers protect our whole police area – Winchester & Williams to Prospect & De Anza.
- San Jose is very good at capturing the larger crimes and less good at closing out the smaller crimes. For example, auto thefts have tripled over the year.
- San Jose has higher quality officers and saturates an area after a crime. They have the highest initial and continuing educational requirement and the Department runs very thorough background checks.
- San Jose is referred to as the model for training police officers in the nation.
- One of the reasons larger crimes are rarer in San Jose has spread out it's low income and Section 8 housing throughout the city instead of concentrating it in one area (projects).
- To be on par with other cities the Police Department would like to see an officer ratio of 1.8-2.0 officers per 100,000 people. The current ratio is 1.2.
- San Jose has 140 volunteer police officers.

- **Police Pension Information**

There is a high rate of contribution by police officers to their pensions. The officers pay \$3 and San Jose pays \$8.

Officers can retire when they are 50 years old and have worked for the department for 25 years. They will be paid a full pension. If they have worked for less than 25 years, they can retire at 55 and receive a pro-rated pension. They will receive 2.5% of their last year of salary if they have up to 20 years of service and 4% of the last year of salary for any additional years of service.

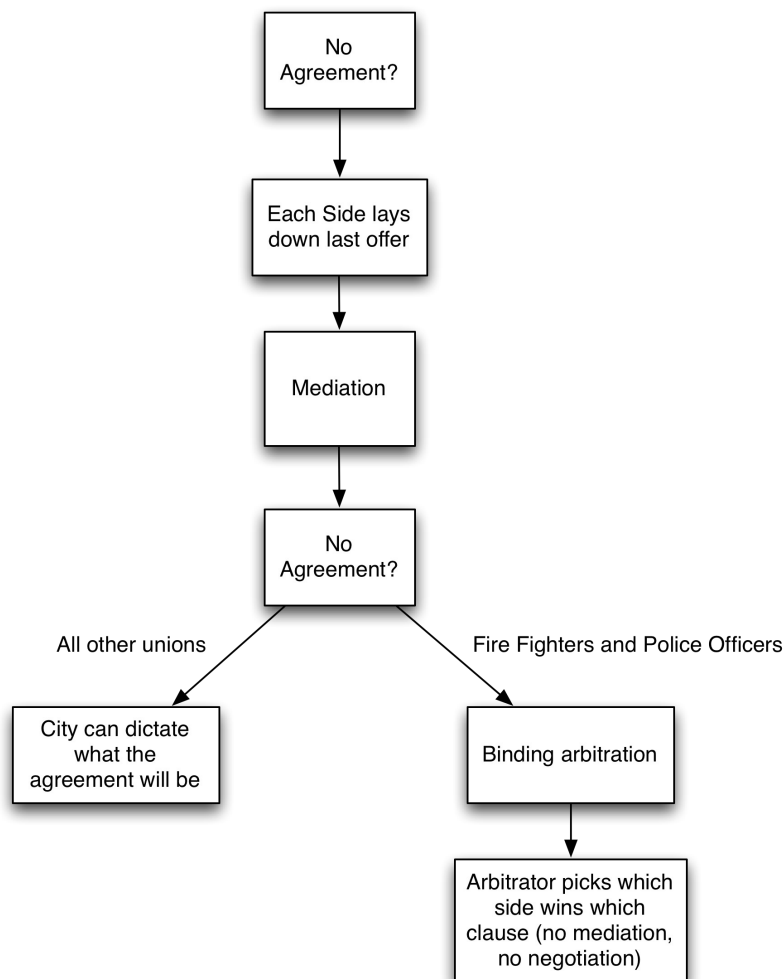
Measure W, on the ballot this fall, will provide a new pension structure for new police officers coming into the department.

Pete Constant, District 1 Council-member

Stephanie Morrison will be our new liaison from Council-member Constant's office. Meghan Revolinsky had an opportunity to go to Ireland.

- **Pension Issues**

- City employees pay a portion; San Jose pays a larger portion. San Jose has to retain the current employee pensions since they are guaranteed by the California constitution. The City's charter also has a minimum requirement for pension benefits.
- There is a \$51M difference in increase over last year's levels. By 2014, for every \$1 in employee salary, there will be \$0.72 in pension benefits.
- There will be a measure on the ballot in the fall to negotiate pensions for new employees. The City would no longer be bound by minimums and unions would need to negotiate with San Jose for changes to the pensions. This would only apply to the 2nd tier (new employees).
- A stakeholder group (led by Council-member Constant) will look at pensions. The meetings will be open to the public.
- Modifying binding arbitration will also be on the ballot this fall. The city has 13 unions and negotiates with them under the Meyers-Milias-Brown Act – negotiating in good faith: <http://www.perb.ca.gov/laws/statutes.asp>
- How it works:



The measure on the ballot would bind the arbitrator so that:

1. Any decision issued is primarily based on San Jose's ability to pay without impacting core city services.
 2. The arbitrator cannot award cost to the city that is above the increase in revenue for the year (e.g. If revenue is up 10%, cannot increase award to 12%)
 3. When the arbitrator makes the award, they cannot create an unfunded liability and the award cannot be given retroactively.
- Firefighters and Police Officers are prohibited by law from striking so they use binding arbitration instead.
 - Council-member Constant's office has analyzed the binding arbitration awards over the years:
 1. The city has been awarded all the non-economic issues
 2. The unions were awarded all the economic issues

PNA Update

- **Past Events**

- Neighborhood BBQ
Since was on July 3rd, there was a slightly lower turnout than previous year, 54 people attended.
- National Night Out
Held at Lori Kahn's house. There was a low turnout and the police were not able to make it to the event (aforementioned bomb threat in San Jose)
- Starbird Park event – 400 people attended
- Williams Road Clean Up
Last Saturday – 5 adults and 2 kids participated
Will make into a monthly event

- **Treasury Report**

Report includes February through present
Total income \$1091.64

- **Membership Status**

Updates to database are complete
200 households on record (approximately 400 in entire neighborhood)
\$15 sponsorship for the year
BBQ was a drive to get sponsorships
Sponsorship includes admission to BBQ and Dumpster Day. Also an ad on the website.

- **Disaster Preparedness**

Contact Jennifer Harris (jharris@lionsoft.com) if you want to be part of the group.
Group will work on best practice sharing among neighbors and developing information for the website.

- **Upcoming Events**
 - September 4th – Williams Road Saturday clean up
 - Spring 2011 (Feb or March) – Neighborhood Garage Sale/Donations Drive followed by Dumpster Day the following week
 - Holiday Event?
 - Blackford NAC does the Giving Tree

New Owner of the Williams Rd. Farmhouse – Omid Shakeri

- **Mr. Shakeri's Background**

Education – Design, Architecture, Urban Regional Planning

Started in the Central Valley

15 years now in Development

Projects in San Jose, Saratoga, Sunnyvale, Santa Clara

- **Farmhouse Project**

Started in May of 2010 when Mr. Shakeri contacted the planning department to submit a pre-application. He had decided to embrace the historic preservation and had two choices:

1. Design something that compliments the existing structure
2. Renovate

The city said that he would have to renovate the structure

Design:

- It will be a single house with a single story
- The water tower will be attached
- The building will look historical
- There will be a porch on Hibiscus where the new front entrance will be (the house will have a Hibiscus address instead of a Williams address)
- There will be an attached garage back away from the street
- The existing tank house and shed will be moved and attached to the new house
- The street and sidewalk along Williams Road will be brought up to code (this will be done at the end of construction)
- The well will be abandoned

Mr. Shakeri filed a single family house permit, but the city said there were too many changes to the original building so approval would have to go through a public hearing.

Planning Issues

Multiple city planners have looked at the plans. Council-member Constant states that the Planning staff has been reduced from 58 to 12 employees.

In 2007 the previous owner, pulled a use permit for demolition that triggered a

historic evaluation since the house is more than 50 years old. Initially it was found that the house was not historic, but Planning staff asked a consultant for more information and it was found that it had enough historic value to be put on the list. (Was just over the cutoff score)

The Structure of Merit Report ranks the property very low historically. The structure is on the inventory but not listed as a landmark. In addition, the tank house is in poor condition.

The Planning Department has stated to Mr. Shakeri that it won't support demolition of the house and he must rehabilitate both the house and the tank house.

Council-member Constant had a discussion with the Planning department 2 days ago. He states that the information about requiring the new owner to renovate was not brought to his attention. He also indicated that he would be calling the Planning Department tomorrow (Friday, August 13, 2010). He also emailed the head of the Planning Department and the City Manager during the PNA meeting to schedule a meeting early the next morning.

Plans for the rest of the lot

The entire lot is 19000 sq. ft. – this is enough for two lots and a parcel map is in progress.

Mr. Shakeri is planning on constructing 2 houses on the lot:

- The first house (the remodeled farm and tank house) will be approximately 2700 sq. ft. because he has to preserve many elements of the original farmhouse. That being said, the house will be of primarily new construction since it is in poor condition and must be brought up to code. (e.g. 24" studs on center must be brought up to 16" studs on center)
- The second house would be approximately 2400 sq. ft. and would be two stories. This house will be entirely new construction and would occupy the half of the lot where the tank house now stands.

Each house will have 4 parking spots (just like all the other houses in the neighborhood):

1. Two car garage
2. Two uncovered parking spots (driveway)

What's Next?

- Need to petition to get the property off the historic designation list.
- Will need Council-member Constant's and Neighborhood's support at any hearings on the property.

Mr. Shakeri kindly distributed his business cards and asked neighbors to contact him if they had any questions or saw any suspicious activity on the property:

Omid Shakeri
President
ECCO Builders, Inc.
408-996-9200 (phone)
408-996-9210 (fax)
408-666-6556 (cell)
omid@eccobuilders.com
www.eccobuilders.com
12280 Saratoga-Sunnyvale Road, Suite 109, Saratoga, CA 95070

He and his assistant regularly drive by the property to check on it for any issues including graffiti. Please call him if you see any issues.

Meeting adjourned