



CITY COUNCIL AGENDA

JANUARY 30, 2001

SYNOPSIS

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
VACANT

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES MAYOR

KEN YEAGER
GEORGE SHIRAKAWA, JR.
DAVID D. CORTESE
JOHN DIQUISTO
PAT DANDO

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support Services** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Economic and Neighborhood Development** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- **Recreation and Cultural Services** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Transportation Services** — A safe and efficient transportation system that contributes to the livability and economic health of the City.
- **Environment and Utility Services** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Aviation Services** — Provide for the air transportation needs of the community and the region at levels that are acceptable to the community.
- **Public Safety Services** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 10 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

1. **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item/s that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
2. When the Council reaches your item on the agenda, Mayor Ron Gonzales will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
3. Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
4. To assist you in tracking your speaking time, there are three lights located to the far right of the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call 1 (408) 277-4424 or 1 (408) 998-5299 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**
 - 9:35 a.m. - Closed Session, Room 600, City Hall
Absent - Council Members: None.
 - 1:37 p.m. - Regular Session, Council Chambers, City Hall
Absent - Council Members: None.
 - 4:27 p.m. Special Joint Council/Redevelopment Session, Council Chambers, City Hall
Absent - Council Members: Yeager (excused).
- **Invocation (District 1)**

The following students from Baker School—Andrian Galindo, Katarina Nguyen, Kendall Mack, Indira Bhattacharjee, Zach Smith, Colby Smith, Kyle Arrouzet, Sherwin Esfahani, Oshadi Jayasuria, Ashley Austrie-Brown, Kelsey Theriault, Jordan Sugimoto—ranging from the first through fifth grades, presented a musical skit from their “Peace Builders” program under the direction of Performing Arts Teacher Barbara Wong and accompanied by Principal Bitsey Stark and parents and parent volunteers.
- **Pledge of Allegiance**

Mayor Gonzales led the Pledge of Allegiance.
- **Orders of the Day**

Approved.

1 CEREMONIAL ITEMS

- 1.1 Presentation of plaques to Brendan Nwachukwu for 7 years 3 months service on the Advisory Commission on Rents; to Gerardo Aguilar for 4 years service on the Housing Advisory Commission; to Deborah Wade for 4 years service on the Housing Advisory Commission; and to Laura Winter for 3 years 7 months on the San José Appeals Hearing Board. (Mayor)
- Mayor Gonzales presented plaques to Brendan Nwachukwu for service on the Advisory Commission on Rents and to Deborah Wade for service on the Housing Advisory Commission; plaques will be sent to Gerardo Aguilar and Laura Winter, who were unable to be present.**

1 CEREMONIAL ITEMS

- 1.2 Presentation of a commendation to Jim Reber, Executive Director, Greater San José Inner Games, for providing exceptional leadership to the program. (Shirakawa, Jr.)
(Rules Committee referral 1/24/01)
Deferred to 2/13/01.

2 CONSENT CALENDAR

2.1 Final adoption of Ordinance 26196.

Recommendation: ORD. NO. 26196 – Adopts the Neighborhood Business Clusters Redevelopment Plan and makes certain findings.

[Deferred from 9/19/00 – Item 6b(4) et al., and 1/16/01 – Item 2.5]

Deferred to 2/6/01 to be heard with Item 10.1(a).

2.2 Final adoption of Ordinance 26197.

Recommendation: ORD. NO. 26197 – Amends the Julian-Stockton Redevelopment Plan, the Olinder Redevelopment Plan, the San Antonio Plaza Redevelopment Plan, the Rincon de Los Esteros Redevelopment Plan, the Pueblo Uno Redevelopment Plan, the Edenvale Redevelopment Plan, the Guadalupe-Auzerais Redevelopment Plan, the Market Gateway Redevelopment Plan, the Century Center Redevelopment Plan, the Alum Rock Avenue Redevelopment Plan, the East Santa Clara Street Redevelopment Plan, the Almaden Gateway Redevelopment Plan, the Story Road Redevelopment Plan, The Alameda Redevelopment Plan, the West San Carlos Street Redevelopment Plan, the Japantown Redevelopment Plan, the Monterey Corridor Redevelopment Plan, the Park Center Redevelopment Plan, the Civic Plaza Redevelopment Plan, and the Neighborhood Business Clusters Redevelopment Plan to effect the merger of said Redevelopment Project Areas and making certain findings.

[Deferred from 9/19/00 – Item 6b(5) et al., and 1/16/01 – Item 2.6]

Deferred to 2/6/01 to be heard with Item 10.1(b).

2.3 Final adoption of Ordinance 26282.

Recommendation: ORD. NO. 26282 – Adds a new Section 23.02.215 to Chapter 23.02 of Title 23 of the San José Municipal Code to define a flat roof-top sign, and amends various Sections of Chapter 23.04, all of Title 23, to allow certain flat-mounted and flat roof-top signs on large buildings downtown, to allow skyline signs on certain buildings located downtown, and to allow certain signs on buildings adjacent to freeway off-ramps downtown.

Ordinance No. 26282 adopted.

2 CONSENT CALENDAR

2.4 Final adoption of Ordinance 26283.

Recommendation: ORD. NO. 26283 – Rezones certain real property situated on the northeast corner of Alum Rock Avenue and José Figueres Avenue. PDC 99-12-096
Ordinance No. 26283 adopted.

2.5 Final adoption of Ordinance 26284.

Recommendation: ORD. NO. 26284 - Rezones certain real property situated on the southeast corner of Stevens Creek and Winchester Boulevards to A(PD) Planned Development. PDCSH 00-09-095
Ordinance No. 26284 adopted.

2.6 Final adoption of Ordinance 26285.

Recommendation: ORD. NO. 26285 - Rezones certain real property situated on the southwest corner of Stevens Creek Boulevard and San Tomas Expressway. PDCSH 00-08-079
Ordinance No. 26285 adopted.

2.7 Approval to purchase trucks for Park Maintenance.

Recommendation: Report on bids and award the purchase of five (5) 4,800-pound pickup trucks for the Department of General Services' Park Maintenance to the low bidder, Melrose Ford, at a total cost of \$78,364.05, including tax, and authorize the Director of General Services to execute the purchase order for:

- (a) The immediate purchase of five (5) units; and
- (b) Subsequent purchase of additional units at the same bid price, for one (1) year, without further Council action other than the appropriation of necessary funds.

(General Services)
Approved.

2.8 Approval to amend the agreement and increase compensation for Citywide hiring and training consulting services.

Recommendation: Approval of a continuation agreement with Cooperative Personnel Services for professional consultant services related to Citywide hiring and training, increasing compensation by \$111,000, from \$175,000 to \$286,000, and extending the term of the agreement from December 31, 2000 to December 31, 2001. (Human Resources)
Approved.

2 CONSENT CALENDAR

2.9 Approval to initiate proceedings to establish a parking management zone for the Alum Rock Village area.

Recommendation: Adoption of a resolution:

- (a) Initiating proceedings for an ordinance amending Chapter 20.90 of Title 20 of the San José Municipal Code to establish a parking management zone for the Alum Rock Village area;
- (b) Setting a public hearing on March 6, 2001 at 7:00 p.m.; and,
- (c) Referring the ordinance to the Planning Commission for its recommendation and comments.

(Planning, Building and Code Enforcement)

Resolution No. 70135 adopted.

2.10 Approval to reject bids for the Old Oakland Road Storm Drain Pump Station Project.

Recommendation: Approval to reject all bids for the construction of the Old Oakland Road Storm Drain Pump Station Project, and authorization for the Director of Public Works to have the project advertised and rebid. CEQA: Exempt. (Public Works)

Approved.

2.11 Acceptance of the San José Arena Authority Ticket Distribution Program Report.

Recommendation: Acceptance of the Fourth Quarter 2000 San José Arena Authority Ticket Distribution Program Report. (San José Arena Authority)

Approved.

2.12 Extension of Ordinance No. 22128, granting a cable television franchise.

Recommendation: Adoption of an urgency ordinance to extend the period for acceptance of an extension of Ordinance No. 22128, granting a cable television franchise.

(City Attorney's Office)

(Rules Committee referral 1/24/01)

Ordinance No. 26288 adopted.

Council directed Staff to expedite negotiations for a state-of-the-art cable television system and if unable to resolve outstanding issues in a timely fashion, to report back to Council with recommendations to invoke a formal renewal process, and to include in the negotiations the issue of establishing a public and educations access at San José high schools with existing compatible facilities.

2 CONSENT CALENDAR

2.13 Approval to change the size and composition of the San José Taxicab Advisory Team.

Recommendation: Approval to amend the size and composition of the San José Taxicab Advisory Team as follows:

- (a) Increase the total membership from 15 to 17 members to allow for one additional owner and one additional driver representative; and
- (b) Appoint a representative of the Airport Commission to serve as a customer representative on the Team in lieu of the Downtown Business Association.

(City Manager's Office)

(Rules Committee referral 1/24/01)

Approved.

2.14 Approval to establish a project fund and to provide funding for the Route 87 Landscaping Project.

Recommendation: Adoption of appropriation ordinance and funding sources resolution amendments in the Building and Structure Construction Tax Fund to provide funding for the Route 87 Landscaping project in the amount of \$150,000. (City Manager's Office)
(Orders of the Day)

Ordinance No. 26287 adopted.

Resolution No. 70136 adopted.

3 STRATEGIC SUPPORT SERVICES

3.1 Report of the Study Session, Mayor Gonzales, Chair No report.

3.2 Report of the Rules Committee – January 17, 2001 Vice Mayor Shirakawa, Jr., Chair

- (a) Redevelopment Agency
 - (1) Review January 30, 2001 Draft Agenda
 - (2) Add New Items to January 23, 2001 Amended Agenda**Heard by Redevelopment Agency**

- (b) City Council
 - (1) Review January 30, 2001 Draft Agenda
The Committee approved the January 30, 2001 City Council agenda with one addition and one deletion.
 - (2) Add New Items to January 23, 2001 Amended Agenda
The Committee recommended one addition to the January 23, 2001 City Council agenda.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – January 17, 2001 (Cont'd.) Vice Mayor Shirakawa, Jr., Chair

- (c) Review of Committee Workplans
 - (1) Rules/Agency Rules Committee
The Committee approved the Rules Committee workplan.
 - (2) Finance and Infrastructure Committee
The Committee approved the Finance and Infrastructure Committee workplan, noting that the January 24th meeting of the Finance and Infrastructure Committee will not be held and the items scheduled for January 24th will be carried over to the February 14th meeting.
 - (3) Economic Development and Environment Committee
The Committee approved the Economic Development and Environment Committee workplan.
 - (4) Education, Neighborhoods, Youth, and Seniors Committee
The Committee approved the Education, Neighborhoods, Youth and Seniors Committee workplan.
 - (5) Ad Hoc Traffic Calming Advisory Committee
The Committee deferred approval of the Ad Hoc Traffic Calming Advisory Committee's workplan.
- (d) Meeting Schedules
There were none.
- (e) The Public Record
The Committee noted and filed the Public Record.
- (f) Request to use Council General Funds by Council Member Dando for attendance at the League of California Cities' Transportation, Communications and Public Works Policy Committee Meeting in San Diego, CA, November 15-17, 2001
The Committee approved Council Member Dando's request to use Council General funds for attendance at the League of California Cities' Transportation, Communications and Public Works Policy Committee Meeting in San Diego, CA., November 15-17, 2001.
- (g) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee
There were none.
- (h) Oral communications
None were presented.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – January 17, 2001 (Cont'd.)

Vice Mayor Shirakawa, Jr., Chair

(i) **Adjournment**

The meeting was adjourned at 2:15 p.m.

Rules Committee report and actions of January 17, 2001 accepted.

3.3 Report of the Finance and Infrastructure Committee

Council Member Dando, Chair

No report.

3.4 Approval of an agreement for the removal and installation of engine monitoring and generator control panels at the Water Pollution Control Plant.

Recommendation: Report on Request for Quotation and award of contract for Removal and Installation of Engine Monitoring and Generator Control Panels to Telstar Inc., for a total cost of \$475,700, including tax, and authorize the Director of General Services to execute the contract and approve a \$25,000 contingency fund. (General Services)

Approved.

3.5 Appoint Redistricting Advisory Commission.

Recommendation: Appointment of Redistricting Advisory Commission Members.
(Mayor)

Recommendations by Mayor Gonzales dated January 29, 2001, were approved and the following individuals were appointed to the Redistricting Advisory Commission:

Chair: Frank Fiscalini

District 1: Trixie Johnson

District 2: Charlotte Powers

District 3: Terry Christensen

District 4: Jeff Ota

District 5: Tony Arreola

District 6: Amy Dean

District 7: George Sanchez

District 8: Maria Fuentes

District 9: Susie Wilson

District 10: David Fadness

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.1 Report of the Economic Development & Environment Committee

Council Member Williams, Chair

No report.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.2 Approval of various financial actions related to the El Paseo Studios Housing Project.

Recommendation: Approval of the following actions related to the El Paseo Studios Housing Project:

- (a) Hold the TEFRA Hearing for the issuance of up to \$10,000,000 in tax-exempt multifamily housing revenue bonds.
- (b) Adoption of a resolution:
 - (1) Expressing its intent to issue up to \$10,000,000 in multifamily tax-exempt revenue bonds to finance the construction of a 98-unit rental housing project located at the southeast corner of Hamilton and Campbell Avenues.
 - (2) Authorizing the Director of Housing to file an application with CDLAC for an allocation of up to \$10,000,000 in private activity bonds.
 - (3) Authorizing the Director of Housing to negotiate and execute a Deposit and Escrow Agreement with El Paseo Apartments, L.P., an affiliate of First Community Housing (the “Sponsor”), for the CDLAC Application for the Project.

(Housing/Finance)

Dropped.

4.3 Approval of various financial actions related to the Immanuel Housing Project.

Recommendation: Approval of the following actions regarding the Immanuel Housing Project:

- (a) Hold the TEFRA Hearing for the issuance of up to \$5,000,000 in tax-exempt multifamily housing revenue bonds.
- (b) Adoption of a resolution:
 - (1) Expressing its intent to issue up to \$5,000,000 in multifamily tax-exempt revenue bonds to finance the construction of a 63-unit senior rental housing project located between Leigh and Richmond Avenues, south of Moorpark Avenue.
 - (2) Authorizing the Director of Housing to file an application with CDLAC for an allocation of up to \$5,000,000 in private activity bonds.
 - (3) Authorizing the Director of Housing to negotiate and execute a Deposit and Escrow Agreement with 1710 Moorpark, L.P., an affiliated entity of The Corporation for Better Housing, for the CDLAC Application for the Project.

(Housing/Finance)

TEFRA Hearing held and there was no testimony from the floor.

Resolution No. 70137 adopted.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.4 Approval of various financial actions related to the Lenzen Affordable Housing Project.

Recommendation: Approval of the following actions regarding the Lenzen Affordable Housing Project:

- (a) Hold the TEFRA Hearing for the issuance of up to \$9,000,000 in tax-exempt multifamily housing revenue bonds.
- (b) Adoption of a resolution:
 - (1) Expressing its intent to issue up to \$9,000,000 in multifamily tax-exempt revenue bonds to finance the construction of an 88-unit family rental housing project located on the south side of Lenzen Avenue, 210 feet west of Stockton Avenue.
 - (2) Authorizing the Director of Housing to file an application with CDLAC for an allocation of up to \$9,000,000 in private activity bonds.
 - (3) Authorizing the Director of Housing to negotiate and execute a Deposit and Escrow Agreement with Lenzen Housing, L.P., or an affiliated entity of Core Development, for the CDLAC Application for the Project.

(Housing/Finance)

**Council approved Staff's request to amend the Staff report to revise the City's resolution of intent to issue the proposed bonds from \$9,000,000 to \$10,000,000 and to renote and reschedule the TEFRA hearing.
Resolution No. 70138 adopted.**

4.5 Approval of various financial actions related to the Roberts Avenue Senior Housing Project.

Recommendation: Approval the following action regarding the Roberts Avenue Senior Housing Project:

- (a) Hold the TEFRA Hearing for the issuance of up to \$10,000,000 in tax-exempt multifamily housing revenue bonds.
- (b) Adoption of a resolution:
 - (1) Expressing its intent to issue up to \$10,000,000 in multifamily tax-exempt revenue bonds to finance the construction of a 100-unit senior rental housing project located at 1442 Roberts Avenue, San José, CA.
 - (2) Authorizing the Director of Housing to file an application with CDLAC for an allocation of up to \$10,000,000 in private activity bonds.
 - (3) Authorizing the Director of Housing to negotiate and execute a Deposit and Escrow Agreement with Bridge Housing Corporation, or an affiliated entity, for the CDLAC Application for the Roberts Avenue Senior Housing Project.

(Housing/Finance)

Dropped.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.6 Approval of actions related to the Sixth and Martha Street Apartments (Phase II) Senior Housing Project.

Recommendation: Approval of the following actions regarding the Sixth and Martha Street Apartments (Phase II) Housing Project:

- (a) Hold the TEFRA Hearing for the issuance of up to \$9,000,000 in tax-exempt multifamily housing revenue bonds.
- (b) Adoption of a resolution:
 - (1) Expressing its intent to issue up to \$9,000,000 in multifamily tax-exempt revenue bonds to finance the construction of an 88-unit family rental housing project located on the west side of Sixth Street, north of Bestor Street.
 - (2) Authorizing the Director of Housing to file an application with CDLAC for an allocation of up to \$9,000,000 in private activity bonds.
 - (3) Authorizing the Director of Housing to negotiate and execute a Deposit and Escrow Agreement with 985 South Sixth St. Associates, L.P., an affiliate of JSM Enterprises, for the CDLAC Application for the Project.

TEFRA Hearing held and there was no testimony from the floor.

Resolution No. 70139 adopted.

4.7 Approval of various financial actions related to the Villages Parkway Senior Apartments Housing Project.

Recommendation: Approval of the following actions regarding the Villages Parkway Senior Apartments Housing Project:

- (a) Hold the TEFRA Hearing for the issuance of up to \$7,000,000 in tax-exempt multifamily housing revenue bonds.
- (b) Adoption of a resolution:
 - (1) Expressing its intent to issue up to \$7,000,000 in multifamily tax-exempt revenue bonds to finance the construction of a 79-unit senior rental housing project located at the northeast corner of The Villages Parkway and Ashley Way.
 - (2) Authorizing the Director of Housing to file an application with CDLAC for an allocation of up to \$7,000,000 in private activity bonds.
 - (3) Authorizing the Director of Housing to negotiate and execute a Deposit and Escrow Agreement with Villages Parkway Associates, L.P, or an affiliated entity of JSM Enterprises, for the CDLAC Application for the Project.

(Housing/Finance)

TEFRA Hearing held and there was no testimony from the floor.

Resolution No. 70140 adopted.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.8 Acceptance of staff's report on its ability and effort to personally contact each property owner impacted by the Hellyer Avenue Expansion Project.

Recommendation: Acceptance of staff's report on its ability and effort to personally contact each property owner impacted by the acquisition of properties for the Hellyer Avenue Expansion Project. CEQA: Resolution No. 69699. (Redevelopment Agency/Public Works)

(Referred from 1/16/01 – Item 4.3)

Renumbered to 10.3.

5 RECREATION & CULTURAL SERVICES

5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee Council Member Chavez, Chair

No report.

5.2 Approval to establish project funds and to provide funding for additional staffing for the Branch Libraries and Parks and Recreation Bond Projects.

Recommendation: Adoption of appropriation ordinance and funding sources resolution amendments in various funds and approval of additional staffing for the Branch Libraries and Parks and Recreation Bond Projects in the amount of \$9,325,300. (City Manager's Office)

(Orders of the Day)

Ordinance No. 26289 adopted.

Resolution No. 70141 adopted.

Staff was directed to: (1) explore methods of expediting projects and ensuring projects approved under Measures O and P in November, 2000, stay on time and on budget, without compromising timelines of older projects in the pipeline and new Strong Neighborhoods Initiative projects; (2) to provide reports of backlogged projects, departmental reorganizations, and project contact persons, (3) to continue providing status reports on a quarterly basis, (4) to provide project progress reports on the Web and highlight Measure O and Measure P projects on the home page.

6 TRANSPORTATION SERVICES

- 6.1 Traffic Calming Advisory Committee (Ad Hoc)**
Council Member Reed, Chair
No report.

7 ENVIRONMENTAL & UTILITY SERVICES

8 AVIATION SERVICES

- 8.1 Approval of an amendment to the Airport Master Plan.**

Recommendation:

- (a) Adoption of a resolution approving a Minor Amendment to the Airport Master Plan to modify the description and scheduling of terminal area development projects; and
- (b) Approval of an ordinance amending Sections 25.04.310 and 25.04.440 of Parts 3 and 4 of Chapter 25.04 of the San José Municipal Code to make technical amendments to conform the description of terminal area improvements in the Master Plan to the Minor Amendments that have been approved to date, and to replace reference to “chapter” with “part” to clarify Council intent to obtain voter approval for amendment of the Airport Traffic Relief provisions specified in Part 4 of Chapter 25.04 of the Code.

CEQA: Resolution No. 67380. (Airport)
(Referred from 1/23/01 – Item 8.1)

Dropped.

9 PUBLIC SAFETY SERVICES

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

Council convened the Redevelopment Agency Board at 2:09 p.m. to consider at Items 10.1, 10.2, and 10.3 in a Joint Session.

10.1 Adoption of the Neighborhood Business Clusters Redevelopment Plan.

Recommendation:

- (a) Adoption by the City Council of a response to written objections from property owners and taxing entities to the adoption of the Neighborhood Business Clusters Redevelopment Plan and the merger of the Neighborhood Business Clusters Redevelopment Plan into the San Jose Merged Area Redevelopment Plan.
- (b) Final adoption of ORDINANCE NO. 26196 – Adopts the Neighborhood Business Clusters Redevelopment Plan and makes certain findings.
TO BE HEARD WITH ITEM 2.1
- (c) Final adoption of ORDINANCE NO. 26197 – Amends the Julian-Stockton Redevelopment Plan, the Olinder Redevelopment Plan, the San Antonio Plaza Redevelopment Plan, the Rincon de Los Esteros Redevelopment Plan, the Pueblo Uno Redevelopment Plan, the Edenvale Redevelopment Plan, the Guadalupe-Auzerais Redevelopment Plan, the Market Gateway Redevelopment Plan, the Century Center Redevelopment Plan, the Alum Rock Avenue Redevelopment Plan, the East Santa Clara Street Redevelopment Plan, the Almaden Gateway Redevelopment Plan, the Story Road Redevelopment Plan, The Alameda Redevelopment Plan, the West San Carlos Street Redevelopment Plan, the Japantown Redevelopment Plan, the Monterey Corridor Redevelopment Plan, the Park Center Redevelopment Plan, the Civic Plaza Redevelopment Plan, and the Neighborhood Business Clusters Redevelopment Plan to effect the merger of said Redevelopment Project Areas and making certain findings.
TO BE HEARD WITH ITEM 2.2

(Deferred from 9/19/00 – Item 11a et al., and 1/16/01 – Item 10.1)

Deferred to 2/6/01.

10.2 Approval of a credit substitution and an Intercreditor Agreement for the Enclave Apartment Project.

Recommendation:

- (a) Adoption of a resolution by the City Council:
 - (1) Approving the proposed credit substitution for the Enclave Apartment Project and authorizing the Director of Finance (or designee), on behalf of the City, to execute and deliver the necessary documentation.
 - (2) Approving in substantially final form, certain documents relating to the proposed credit substitution, including: Amended and Restated Loan Agreement, Amended and Restated Indenture of Trust, Amended and Restated Intercreditor Agreement (relating to the Bond Regulatory Agreement), and Intercreditor Agreement (relating to the Affordability Agreement).
 - (3) Authorizing the Director of Housing to accept the amount of \$4,586,204 as payoff of the \$5,696,000 City Loan.

Resolution No. 70142 adopted.

(Item cont'd next page)

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

10.2 Approval of a credit substitution and an Intercreditor Agreement for the Enclave Apartment Project. (Cont.)

- (b) Adoption of a resolution by the Agency Board authorizing the Executive Director to execute an Intercreditor Agreement on behalf of the Agency.

(Housing/Finance)

Redevelopment Agency Resolution No. 5111 adopted.

10.3 Acceptance of staff's report on its ability and effort to personally contact each property owner impacted by the Hellyer Avenue Expansion Project.

Recommendation: Acceptance of staff's report on its ability and effort to personally contact each property owner impacted by the acquisition of properties for the Hellyer Avenue Expansion Project. CEQA: Resolution No. 69699. (Redevelopment Agency/Public Works)

(Referred from 1/16/01 – Item 4.3)

Renumbered from Item 4.8

Approved.

The Redevelopment Agency Board portion of the meeting adjourned at 2:15 p.m.

- **Closed Session Report**

None.

- **Open Forum—To be heard jointly with Redevelopment Agency Public Discussion.**

None presented.

- **Adjournment**

The Council of the City of San José adjourned at 2:16 p.m. to a joint meeting of the City Council/San José Financing Authority, followed by a Special Closed Session joint meeting of the City Council and Redevelopment Agency following the Redevelopment Agency meeting, and then adjourned to Thursday, February 1, 2001, at 5:30 p.m., San José McEnery Convention Center for the Mayor's State of the City address.

**JOINT CITY OF SAN JOSÉ
CITY COUNCIL/FINANCING AUTHORITY**

1:30 P.M.

TUESDAY, JANUARY 30, 2001

CHAMBERS

1. Call to Order - 2:17 p.m.
Joint City Council/Financing Authority Session, Council Chambers, City Hall
Absent: Council Members: None.
Vacant: District 5.

2. **Approval of various financial actions related to the Hayes Mansion Phase III Improvement and Refunding Project.**

Recommendation:

- (a) Conduct a Public Hearing of the City Council concerning the approval of the proposed lease financing by the City and the City of San José Financing Authority related to the refinance of certain outstanding obligations, a portion of which the proceeds were used by the City to acquire and construct improvements to the Hayes Mansion and Edenvale Garden Park and to finance certain additional improvements to the Hayes Mansion, additional park improvements and a public parking facility at Edenvale Garden Park.

Public Hearing held; one individual spoke.

- (b) Adoption of a resolution by the City of San José Financing Authority authorizing the issuance of three series of lease revenue bonds in the initial aggregate principal amount not to exceed \$50 million for the Series B & C taxable bonds, and \$11 million for the Series D tax exempt bonds, in connection with financing and refinancing certain public capital improvements at the Hayes Mansion and Edenvale Garden Park, authorizing and directing execution of an Indenture of Trust and certain financing documents, authorizing the negotiation of the sale of bonds, approving the Official Statements and authorizing other related actions.

Resolution No. SJFA-48 adopted.

- (c) Adoption of a resolution by the City Council:
 - (1) Authorizing and directing the execution of certain financing documents, including the Project Lease and other related documents and directing certain related actions in connection with financing for certain public capital improvements.
 - (2) Authorizing the City Manager to negotiate and execute an agreement with Stone & Youngberg, LLP for financial advisory services from January 1, 1999 until April 1, 2001, in an amount not to exceed \$70,000.
 - (3) Authorizing the City Attorney to negotiate and execute an agreement with Jones Hall, A Professional Law Corporation, for bond counsel services, in an amount not to exceed \$85,500.

Resolution No. 70143 adopted.

**JOINT CITY OF SAN JOSÉ
CITY COUNCIL/FINANCING AUTHORITY**

1:30 P.M.

TUESDAY, JANUARY 30, 2001

CHAMBERS

2. **Approval of various financial actions related to the Hayes Mansion Phase III Improvement and Refunding Project. (Cont'd.)**
- (d) Adoption of an ordinance by the City Council approving, authorizing, and directing the execution of a Project Lease in connection with the Hayes Mansion Phase III Improvement and Refunding Project.
- (Finance)
(Deferred from 1/16/01 – Item 2)
Ordinance No. 26290 adopted.
3. Adjourn the San José Financing Authority
The San José Financing Authority adjourned at 2:20 p.m.

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The following resolutions were adopted at the Joint City Council/Redevelopment Agency meeting on Tuesday, January 31, 2001:

- 7.1(a) **Resolution No. 70144, entitled: “A Resolution of the Council of the City of San José Accepting the Summary of Costs and Findings of the Summary 33433 Report and the Estimated Reuse Valuation for the Lease of Approximately 24,000 Square Feet at 27 South First Street to the House of Blues San José Restaurant Corporation”, were adopted. Vote: 10-0-0-1. Vacant: District 5. Redevelopment Agency resolutions adopted.**