



# **CITY COUNCIL AGENDA**

**FEBRUARY 27, 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: Diquisto (excused)**  
**Vacant: District 5.**  
  
1:33 p.m. - Regular Session, Council Chambers, City Hall  
**Absent: Council Members: Diquisto (excused)**  
**Vacant: District 5.**
- **Invocation (District 2)**  
**The Oak Grove Air Force Junior ROTC Color Guard, under the direction of Colonel Mike McKinniss, presented Colors.**
- **Pledge of Allegiance**  
**Mayor Gonzales led the Pledge of Allegiance.**
- **Orders of the Day**  
**Approved.**

## **1 CEREMONIAL ITEMS**

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- 1.1 Presentation of a commendation to Fire Department personnel who displayed courage, determination and dedication in response to a residential fire that occurred on January 21, 2001. (Chavez)  
(Rules Committee referral 2/21/01)  
**Deferred to 3/13/01.**

## 2 CONSENT CALENDAR

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**Notice to the public:** There will be no separate discussion of Consent Calendar items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

### 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 2/13/01 – Item 2.11]

**Deferred to 3/6/01 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 2/13/01 – Item 2.12]

**Deferred to 3/6/01 to be heard with Item 10.1(b)**

### 2.3 Approval of an agreement for the Acoustical Treatment Program.

**Recommendation:** Approval of the second amendment to the consultant agreement with Charles M. Salter Associates, Inc. to provide consultant services for the design, bid, and construction administration of acoustical treatment for eligible dwellings located with the Category II/III Eligibility Areas of the Acoustical Treatment (ACT) Program, increasing the maximum compensation by \$386,000, from \$1,500,000 to \$1,886,000, and extending the term from June 30, 2001 to December 31, 2002. CEQA: Resolution No. 67380. (Airport)

**Approved.**

**Staff directed to report back with the average elapsed time between requests for acoustical testing and the performance of the tests.**

## 2 CONSENT CALENDAR

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### 2.4 Approval of an agreement for the Guadalupe Gardens Master Plan.

**Recommendation:** Approval of a first amendment to the consultant agreement with Cuschieri Horton Architects, Inc. for the preparation of the Guadalupe Gardens Master Plan, increasing the maximum compensation by \$40,000, from \$45,000 to \$85,000, and extending the agreement term to December 31, 2001. (Airport)

**Approved.**

### 2.5 Approval to change the composition of the Deferred Compensation Advisory Committee.

**Recommendation:**

(a) Approval of the tentative agreement on the composition of the Deferred Compensation Advisory Committee (DCAC) subject to ratification by the bargaining units.

**Approved.**

(b) Adoption of a resolution to increase the number of members of the Deferred Compensation Advisory Committee, from five to seven, and to increase the terms of office, from two years to four years.

**Resolution No. 70176 adopted.**

(c) Approval of the appointment of three employees to new terms on the DCAC, Effective March 2, 2001 and expiring on March 1, 2005.

(City Manager's Office/Human Resources)

**Approved.**

### 2.6 Approval of open purchase orders for the purchase of supplies, materials, equipment and services.

**Recommendation:** Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 #30, and authorization for the Director of General Services to execute the purchase orders. (General Services)

**Approved.**

### 2.7 Approval to create, retitle, and delete various classifications and salary ranges.

**Recommendation:** Adoption of a resolution:

(a) Amending the City's Pay Plan to create job classifications for Food Service Coordinator, Cook, and Kitchen Aide.

(b) Amending the City's Pay Plan to change job classification titles for Instrument Repair Technician, Instrument Repair Supervisor, Electrical Maintenance Supervisor, Permit Technician, Senior Permit Technician, and Supervising Building Inspector.

(c) Amending the City's Pay Plan to delete various job classifications that are no longer used in the City.

(Human Resources)

**Resolution No. 70177 adopted.**

## 2 CONSENT CALENDAR

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### 2.8 Approval of a lease agreement for warehouse space.

**Recommendation:** Approval of a lease agreement with Beverly Building Investors, Ltd., a California Limited Partnership, for the lease of 16,000 square feet of warehouse space located at 233-235 Commercial Street in San José, for a period of thirty months, commencing retroactively as of January 1, 2001, and ending on June 30, 2003, at a cost of \$16,000 per month for the first year, increasing to \$17,000 per month for the second year of the lease, and \$17,600 per month for the final 6 months of the 30-month term. (Public Works)

**Approved.**

### 2.9 Approval of an agreement and budget action for the Mayfair Community Center and Park Master Plan Project.

**Recommendation:**

(a) Approval of an agreement with Tom Richman and Associates, Inc. for consultant services for the Mayfair Community Center and Park Master Plan Project, from the date of execution of the agreement to May 31, 2002, in the amount of \$120,000, and additional services in the amount of \$10,000, for a total agreement amount of \$130,000. (Public Works)

**Approved.**

(b) Adoption of appropriation ordinance amendments in the Council District 5 Construction and Conveyance Tax Fund, increasing the appropriation for the Mayfair Center and Park Master Plan Project by \$60,000. (City Manager's Office)

**Ordinance No. 26303 adopted.**

### 2.10 Approval of agreements for the Fire Department's plan check services.

**Recommendation:** Approval of agreements with Gage-Babcock and Associates, Rolf Jensen and Associates, Hughes Associates, and Associated Risk Consultants in an amount not to exceed \$200,000, for plan check services for the period February 1, 2001, to January 31, 2002. (Fire)

(Deferred from 2/20/01 – Item 2.13)

**Approved.**

### 2.11 Approval of conditions on the City's sale of parking garages.

**Recommendation:** Adoption of a resolution approving certain conditions on the disposition of parking facilities required by AMBAC Assurance Corporation, the proposed bond insurer for the parking revenue bonds, for the 4<sup>th</sup> and San Fernando Street Garage. (City Attorney's Office)

(Rules Committee referral 2/14/01)

(Deferred from 2/20/01 – Item 2.25)

**Deferred to 3/06/01.**

## 2 CONSENT CALENDAR

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### 2.12 Approval of the final map for Tract No. 9308.

TRACT NO. 9308 - Southwest corner of Story Road and Clemence Avenue - Green Valley Corporation (Developer) - 12 retail and office condominium units. Adoption of a resolution approving the final map for Tract No. 9308. CEQA: ND. District 7. (Public Works)

**Resolution No. 70178 adopted.**

### 2.13 Adoption of urgency ordinances to amend the Zoning Code related to vehicle wrecking uses and Downtown Zoning.

**Recommendation:** Adoption of an urgency ordinance and approval of a regular ordinance amending Section 20.50.100 of Chapter 20.50 of Title 20 of the San Jose Municipal Code to amend Table 20-110 to correct a typographical error and clarify that vehicle wrecking uses are conditional uses within the HI Heavy Industrial Zone, and to provide and clarify that the development regulations applicable to the area bounded by Route 87, Julian Street, Fourth Street, and Interstate 280 shall be by those development regulations set forth in Part 12 of Chapter 20.28 of Title 20 of the San Jose Municipal Code in effect on February 18, 2001. (City Attorney's Office)  
(Rules Committee referral 2/21/01)

**Urgency Ordinance No. 26304 adopted.**

**Ordinance No. 26305 passed for publication.**

### 2.14 Final adoption of Ordinance 26299.

**Recommendation:** ORD. NO. 26299 - Sets forth the very limited and extraordinary circumstances warranting an additional General Plan amendment hearing related to housing issues prior to the General Plan Annual Review and Amendment Process.

**Dropped- Scheduled for 3/6/01.**

### 2.15 Approval of a contingency budget increase for the Meadows Park Improvements Project.

**Recommendation:** Approval of a contingency budget increase for the Meadows Park Improvements Project in the amount of \$4,000, for a total contingency budget of \$14,000. CEQA: Exempt. (Public Works)  
(Rules Committee referral 2/21/01)

**Approved.**

**END OF CONSENT CALENDAR**

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.1 Report of the Study Session, Mayor Gonzales, Chair

No report.

#### 3.2 Report of the Rules Committee – February 14, 2001

##### Vice Mayor Shirakawa, Jr., Chair

(a) Redevelopment Agency items reported out at Redevelopment Agency meeting

(b) City Council

(1) Review February 27, 2001 Draft Agenda

**The Committee approved the February 27, 2001 City Council agenda.**

(2) Add New Items to February 20, 2001 Amended Agenda

**The Committee recommended three additions to the February 20, 2001 City Council Agenda.**

(c) City Council Committees

(1) Amendments to Council Committee Agendas

(a) Finance and Infrastructure Committee

**The Committee recommended one addition to the February 28, 2001 agenda for the Finance and Infrastructure Committee.**

(b) Economic Development and Environment Committee

**Council Member Dando requested a report documenting how recipients have used grant monies from the Housing Department. The Committee recommended one addition to the March 5, 2001 agenda for the Economic Development and Environment Committee.**

(c) Education, Neighborhoods, Youth, and Seniors Committee

**There were no amendments presented.**

(d) Ad Hoc Traffic Calming Advisory Committee

**There were no amendments presented.**

(d) Meeting Schedules

**None were presented.**

(e) The Public Record

**There was none.**

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.2 Report of the Rules Committee – February 14, 2001 (Cont.)

##### Vice Mayor Shirakawa, Jr., Chair

- (f) Request by Council Member LeZotte to use Council General Funds for attendance at the League of California Cities Transportation, Communication & Public Works Policy Committee meeting in Los Angeles, California, on January 19, 2001

**The Committee approved the use of Council General Travel funds by Council Member LeZotte to attend the League of California Cities' Transportation, Communications and Public Works Policy Committee Meeting in Los Angeles, CA, on January 19, 2001.**

- (g) Appointments to Project Diversity Screening Committee  
**The Committee approved the appointment of Katie Brown to the Project Diversity Screening Committee and continued this item to the February 21, 2001 meeting for additional appointments.**
- (h) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee  
**There were none.**
- (i) Oral communications  
**None were presented.**
- (j) Adjournment  
**The meeting was adjourned at 2:10 p.m.**

**Rules Committee report and actions of February 14, 2001 accepted.**

#### 3.3 Report of the Finance and Infrastructure Committee – February 14, 2001

##### Council Member Dando, Chair

- (a) Monthly Investment Report for November/December 2000  
**The Committee approved the Staff report.**
- (b) December Monthly Report  
**The Committee approved the Staff report.**
- (c) Monthly Financial Report for November 2000  
**The Committee approved the Staff report.**
- (d) Unfunded Projects Appropriation Report as of 12/31/00  
**The Committee approved the Staff report.**

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.3 Report of the Finance and Infrastructure Committee – February 14, 2001 (Cont'd.) Council Member Dando, Chair

(e) Minutes from the Fourth Quarter 2000 Investment Committee Meeting  
**The Committee approved the Staff report.**

(f) Communication Center Refunding  
**The Committee approved the Staff report.**

**See Joint City Council/San José Financing Authority Agenda for Council action taken.**

(g) Sales and Business Tax for Quarter Ending September 31, 2000  
**The Committee approved the Staff report.**

(h) Oral petitions  
**None presented.**

(i) Adjournment  
**Prior to adjournment, the Committee unanimously approved the cancellation of the March 14, 2000 Finance & Infrastructure Meeting. The Committee adjourned at 3:55 p.m.**

**Finance & Infrastructure Committee report and actions of February 14, 2001 accepted.**

#### 3.4 Approval of an agreement for architectural services for the San José Animal Services Project.

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute a first amendment to the agreement with George Miers & Associates, for architectural services for the San José Animal Services Project, extending the term of the agreement from June 30, 2001 to December 31, 2002, amending the scope of services to add consultant services for preparation of construction documents, support services for bidding and award of the construction contract, and construction administration services, and increasing the compensation by \$581,000, from \$375,000 to \$956,000. (Public Works)

**Resolution No. 70179 adopted.**

**Council directed Staff to analyze the potential role of an Advisory Committee.**

**REVISED PAGE (Item 3.4).**

### **3 STRATEGIC SUPPORT SERVICES**

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#### **3.5 Approval to amend the City’s Pay Plan to create classifications for the provision of animal services.**

**Recommendation:**

- (a) Adoption of a resolution amending the City’s Pay Plan to create the following classifications and salary ranges:
  - (1) Supervisor, Animal Services Operations (3250) with a salary range of \$26.96-\$32.85 per hour (\$56,076.80-\$68,328 annually).
  - (2) Animal Services Officer, Senior (3251) with a salary range of \$20.00-\$24.31 per hour (\$41,600-\$50,565.06 annually).
  - (3) Animal Services Officer (3252) with a salary range of \$17.03-\$20.70 per hour (\$35,422.40-\$43,056.15 annually).
  - (4) Animal Health Technician (3253) with a salary range of \$15.39-\$18.71 per hour (\$32,011.20-\$38,916.80 annually).
  - (5) Kennel Attendant (3254) with a salary range of \$14.09-\$17.13 per hour (\$29,307.20-\$35,630.40 annually).

**Resolution No. 70180 adopted.**

- (b) Adoption of a resolution amending the City’s Pay Plan to delete obsolete classifications.

**Dropped - (b) only**

(Human Resources)

(Deferred from 2/20/01 – Item 3.4)

### **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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#### **4.1 Report of the Economic Development & Environment Committee Council Member Williams, Chair**

**No report.**

#### **4.2 Actions regarding Proposed Community Facilities District.**

**Recommendation:**

- (a) Close the public hearing on the proposed formation of Community Facilities District No. 5 (North Coyote Valley).
- (b) Adoption of a resolution directing recording of Notice of Abandonment for Community Facilities District No. 5 (North Coyote Valley).
- (c) Adoption of a Resolution of Intention to establish Community Facilities District No. 5A (North Coyote Valley) and set the public hearing on this matter for March 27, 2001 at 1:30 p.m.

CEQA: Resolution No. 69957. (Public Works)

(Continued from 11/7/00 – Item 10a et al., and 2/13/01 – Item 4.2)

**Deferred to 3/20/01.**

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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### **4.3 Public Hearing on the appeal of the Planning Commission's decision to approve a Conditional Use Permit.**

**Recommendation:** PUBLIC HEARING ON APPEAL of the Planning Commission's decision to approve a Conditional Use Permit for a project located at the southwest corner of East Taylor and North 10<sup>th</sup> Streets (444 E. Taylor Street) on a 0.43-gross-acre site in the M-1 Manufacturing Zoning District for the Conversion of a residential structure to a non-residential use in support of the redevelopment of a legal non-conforming gasoline service station. The applicant has specifically appealed Concurrent Condition #5.a. requiring closure of the 10<sup>th</sup> Street driveway closest to the intersection of Taylor and 10<sup>th</sup> Streets. (Stephen Lopes, Owner; Western States Oil Company, Developer). CEQA: Exempt.

CP 00-04-022 - District 3

**Council approved Council Member Chavez's memorandum dated February 23, 2001, recommending support of the applicant's Conditional Use Permit without Concurrent Condition #5.a. Staff directed to monitor accident statistics in the region to ascertain any need for future remedies. Resolution No. 70181 adopted.**

## **5 RECREATION & CULTURAL SERVICES**

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### **5.1 Report of the Education, Neighborhoods, Youth, and Seniors Committee Council Member Chavez, Chair No report.**

### **5.2 Approval of a contract and budget actions related to the Center for the Performing Arts Acoustical Shell Replacement Project.**

**Recommendation:**

(a) Report on bids and approval of contract for the Center for the Performing Arts Acoustical Shell Replacement Project with J.R. Clancy, Inc., in the amount of \$1,499,825, and approval of a contingency in the amount of \$150,000. (Public Works)

**Approved.**

(b) Adoption of appropriation ordinance and funding sources resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for the Center for Performing Arts Improvements Project with a net impact to the fund of \$1,800,000. (City Manager's Office)

CEQA: Exempt.

**Ordinance No. 26306 adopted.**

**Resolution No. 70182 adopted.**

## **6 TRANSPORTATION SERVICES**

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**6.1 Traffic Calming Advisory Committee (Ad Hoc)  
Council Member Reed, Chair**

**No report.**

**6.2 Approval of an ordinance for additional parking meter zones in Downtown and Japantown.**

**Recommendation:** Approval of an ordinance amending Chapter 11.40 of Title 11 of the San José Municipal Code to include additional parking meter zones in Downtown and Japantown to meet the demand for short-term visitor parking in these areas. CEQA: Exempt. (Streets and Traffic)

**Ordinance No. 26307 passed for publication.**

## **7 ENVIRONMENTAL & UTILITY SERVICES**

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**7.1 Approval of the Municipal Water System's 2000 update of the Urban Water Management Plan.**

**Recommendation:** Approval of the Municipal Water System's 2000 update of the Urban Water Management Plan and direction to staff to file the Plan with the California Department of Water Resources. (Environmental Services)

**Approved, with the notation that no plans to build wells in Alviso have been approved and the report refers only to possible options.**

## **8 AVIATION SERVICES**

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## **9 PUBLIC SAFETY SERVICES**

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**9.1 Approval of the Police Department's Spending Plan for the 2000-01 Supplemental Law Enforcement Services Grant and related budget actions.**

**Recommendation:**

(a) Approval of the Police Department's \$2,003,908 Spending Plan for the 2000-01 Supplemental Law Enforcement Services Grant.

**Approved.**

(b) Adoption of related appropriation ordinance and funding sources resolution amendments for the SLES Fund (Fund 414) for Fiscal Year 2000-01.

(Police/City Manager's Office)

**Ordinance No. 26308 adopted.**

**Resolution No. 70183 adopted.**

## **10 JOINT COUNCIL/REDEVELOPMENT AGENCY**

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**Council convened the Redevelopment Agency Board at 2:18 p.m. to consider Item 10.1 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 2/13/01 – Item 10.1)

**Deferred to 3/6/01.**

**Redevelopment Agency Board portion of the meeting adjourned at 2:19 p.m.**

- Closed Session Report
- Open Forum—To be heard jointly with Redevelopment Agency Public Discussion.
  - (1) Deborah Grant spoke on issues about Santa Clara County services.
  - (2) Ross Signorino spoke about utility tax issues.

- **Adjournment**

The Council of the City of San José adjourned at 2:22 p.m. to a joint meeting with the San José Financing Authority following the Council meeting, and thereafter to Friday, March 2, 2001, 8:00 a.m., for an adjourned regular session regarding the region's energy needs.

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**JOINT REDEVELOPMENT AGENCY/CITY COUNCIL MEETING**

The following resolutions were adopted at the Joint Redevelopment Agency/City Council meeting on Tuesday, February 27, 2001:

**7.1 Approval of actions related to the design and construction of the Pala Youth Center.**

**Recommendation:** It is recommended that the City Council and Agency Board take the following actions:

- (a) The City Council adopt a resolution making determinations consistent with the Health and Safety Code Section 33445; and,  
**Resolution No. 70185 adopted.**
- (b) The City Council adopt a resolution delegating authority to the City Manager to execute any agreements collateral to the Lease, and to amend the Lease throughout the term to meet operational needs, provided the amendment is not in excess of amounts annually appropriated by Council; and  
**Resolution No. 70186 adopted.**
- (c) The City Council and Agency Board approve the Lease, Development and Operations Agreement between the City, Agency, and the Alum Rock Union Elementary School District for the lease of land from the District for an initial term of 30 years, with two, automatic 20-year renewal periods at the City's option; for the Agency's design and construction of the Pala Youth Center; and providing for the operation and maintenance of the Center, and,  
**Approved.**
- (d) The City Council and Agency Board approve the Cooperation Agreement between the City and Agency providing for the design and construction and transfer of the Center, for the City's occupation and maintenance of the Center, and for the transfer of all the Agency's rights, title and interest in the Center at the time of the City's occupation; and,  
**Approved.**
- (e) The Agency Board approve an agreement for architectural services with BOORA Architects in an amount of \$645,000, for a term through September 30, 2003, subject to the Executive Director's authority to extend up to one year.  
CEQA: ND (**ALUM ROCK**)  
**Approved.**

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

**1:30 P.M.**

**TUESDAY, FEBRUARY 27, 2001**

**CHAMBERS**

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1. Call to Order – 2:23 p.m.  
**Absent: Council Members: Diquisto (excused)**  
**Vacant: District 5.**
  
2. **Approval of various financial actions related to the Communications Center Refunding Project.**

**Recommendation:**

- (a) Adoption of a resolution of the City of San José Financing Authority authorizing the issuance of lease revenue bonds in the initial aggregate principal amount of not to exceed \$20 million in connection with the Communications Center Refunding Project, authorizing and directing execution of Trust Agreement and certain financing documents, approving the Official Statement, and authorizing other related actions.  
**Resolution No. SJFA-50.**
  
  - (b) Adoption of a resolution of 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 refinancing the Communications Center.
    - (2) Authorizing the City Manager to negotiate and execute an Agreement with Public Resources Advisory Group for financial advisory services from December 1, 2000 until June 30, 2001 in an amount not to exceed \$65,000.  
**Resolution No. 70184 adopted.**
  
  - (c) Adoption of an ordinance by the City Council approving, authorizing and directing the execution of a Project Lease in connection with the Communications Center Refunding Project.  
**Ordinance No. 26309 adopted.**
  
  - (d) Adoption of appropriation ordinance amendments in the General Fund to provide \$600,000 for the Communications Building Roof Repairs Project. (City Manager's Office)  
[Finance and Infrastructure Committee referral 2/14/01 – Item 3.3(f)]  
**Ordinance No. 26310 adopted.**
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3. Adjourn the Joint City Council/San José Financing Authority meeting.  
**The Joint City Council/San José Financing Authority meeting was adjourned at 2:31 p.m.**