



# **CITY COUNCIL AGENDA**

**DECEMBER 19, 2000**

## **SYNOPSIS**

LINDA J. LE ZOTTE  
CHARLOTTE POWERS  
CINDY CHAVEZ  
CHUCK REED  
VACANT

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

FRANK FISCALINI  
GEORGE SHIRAKAWA, JR.  
ALICE WOODY  
JOHN DIQUISTO  
PAT DANDO

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

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.

## **1 CALL TO ORDER AND ROLL CALL**

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**9:35 a.m. - Closed Session, Room 600, City Hall**

**Absent - Council Members: None.**

**Vacant: District 5.**

**1:35 p.m. - Regular Session, Council Chambers, City Hall**

**Absent - Council Members: None.**

**Vacant: District 5.**

## **2 INVOCATION**

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**Father Francisco Rios, St. Leo the Great Catholic Church, delivered the Invocation.  
(Mayor)**

## **3 PLEDGE OF ALLEGIANCE**

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**Mayor Gonzales led the Pledge of Allegiance.**

## **4 ORDERS OF THE DAY**

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## **5 CEREMONIAL ITEMS**

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- a. Presentation of a commendation to Reverend Kenny Foreman, Pastor of Cathedral of Faith, and his wife Shirley, for 35 years of service to the San José community. (Woody)  
**Mayor Gonzales was joined by Council Member Woody for presentation of a commendation to Kenny Foreman, Jr., who accepted the award on behalf of his father. Council Member Woody stated Reverend Foreman has served the San José community in countless ways over the 35 years he has served as Pastor of Cathedral of Faith, and expressed appreciation on behalf of the City Council and the residents of San José.**

## 5 CEREMONIAL ITEMS

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- b. Presentation of Institute of Internal Auditors, Australia, Queensland Branch award for Excellence in Financial Reporting to the City of San José. (City Auditor)  
(Rules Committee referral 12/12/00)

**Mayor Gonzales was presented with the Excellence in Financial Reporting award for the City of San José's Comprehensive Annual Financial Report (CAFR), prepared by the Department of Finance. Making the presentation were Bill Vinson, President of the Institute of Internal Auditors (IIA) and Dixon Reilley, Twinning and International Relations Chair of the San José Chapter of the IIA.**

- c. Presentation of commendations to the Board of Directors, Volunteers, and Staff of Christmas in the Park and to the Volunteers and Staff of the San José Holiday Parade.  
(Powers)  
(Rules Committee referral 12/12/00)

**Council Member Powers joined Mayor Gonzales at the podium for presentation of commendations to staff of the Christmas in the Park and San José Holiday Parade and asked the volunteers to stand and be recognized for their efforts in producing these two outstanding annual events in the City of San José.**

- d. **Mayor Gonzales and the City Council Members presented remembrances to the three Council Members for whom this is their last City Council Meeting: Vice Mayor Fiscalini, Council Member Powers and Council Member Woody. The Mayor and Council commented on the unique and substantial contributions each have made to the City of San José through representing their own Districts and in the City-wide endeavors for which they had particular interest. On behalf of the residents, Mayor Gonzales and Council thanked them for their service to the City of San José and wished them well in their future endeavors.**

## 6 CONSENT CALENDAR

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### a. Minutes for Approval

- (1) Regular Meeting of October 10, 2000  
**Approved.**
- (2) Regular Meeting of October 17, 2000  
**Approved.**

## 6 CONSENT CALENDAR

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### b. Ordinances for Final Adoption

- (1) 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 12/12/00 – Item 6b(1)]  
**Deferred to 1/09/01.**
- (2) 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 12/12/00 – Item 6b(2)]  
**Deferred to 1/09/01.**
- (3) ORD. NO. 26248 – Amends Title 20 of the San José Municipal Code in its entirety to comprehensively update and revise the Zoning Code.  
[Deferred from 12/12/00 – Item 6b(12)]  
**Ordinance No. 26248 adopted.**
- (4) ORD. NO. 26253 – Amends various chapters in Title 4 of the San José Municipal Code to extend the exemption of certain construction taxes in the Expanded Enterprise Zone for projects that are developed pursuant to agreements with the Redevelopment Agency effective on or before January 30, 2001.  
**Ordinance No. 26253 adopted.**
- (5) ORD. NO. 26254 – Rezones certain real property situated approximately 210 feet easterly of the terminus of Fortune Drive. C 00-05-035  
**Ordinance No. 26254 adopted.**
- (6) ORD. NO. 26255 – Rezones certain real property situated at the south side of Lenzen Avenue, approximately 500 feet westerly of Stockton Avenue. PDC 00-05-041  
**Ordinance No. 26255 adopted.**

## 6 CONSENT CALENDAR

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### b. Ordinances for Final Adoption

- (7) ORD. NO. 26256 – Rezones certain real property situated on the east side of Monterey Road, approximately 600 feet northerly of Tully Road. PDC 00-07-059  
**Ordinance No. 26256 adopted.**
- (8) ORD. NO. 26257 – Rezones certain real property situated on the southeast corner of Moorpark Avenue and Leigh Avenue. PDC 00-07-063  
**Ordinance No. 26257 adopted.**
- (9) ORD. NO. 26258 – Rezones certain real property situated at the north side of Santa Teresa Boulevard between Taormino and Allen Avenues. PDC 00-08-067  
**Ordinance No. 26258 adopted.**
- (10) ORD. NO. 26259 - Rezones certain real property situated on the southeast corner of Campbell Avenue and Hamilton Avenue. PDC 00-08-070  
**Ordinance No. 26259 adopted.**
- (11) ORD. NO. 26260 – Rezones certain real property situated at the easterly side of Zanker Road, approximately 510 feet southerly from Component Drive (2350 Zanker Road). C 00-08-083  
**Ordinance No. 26260 adopted.**
- (12) ORD. NO. 26261 – Rezones certain real property situated at the east side of Monterey Road, approximately 370 feet north of Lewis Road. C 00-09-087  
**Ordinance No. 26261 adopted.**
- (13) ORD. NO. 26262 – Rezones certain real property situated at the southeast corner of McEvoy Street and Park Avenue. C 00-09-094  
**Ordinance No. 26262 adopted.**
- (14) ORD. NO. 26263 – Rezones certain real property situated at the west side of Almaden Road, approximately 100 feet southerly of Willow Glen Way. PDC 00-09-100  
**Ordinance No. 26263 adopted.**
- (15) ORD. NO. 26264 – Rezones certain real property situated on the west side of South Keeble Avenue, approximately 200 feet south of The Alameda. PDC 00-06-052  
**Ordinance No. 26264 adopted.**
- (16) ORD. NO. 26265 - Rezones certain real property situated on the southeast corner of Southwest Expressway and Fruitdale Avenue. PDC 00-08-068  
**Ordinance No. 26265 adopted.**

## 6 CONSENT CALENDAR

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### c. Public Hearings Set by Council

None.

### d. Plans and Specifications

- (1) Adoption of resolutions approving plans, final map, and contract for subdivision tracts, if any.

None.

### e. Contracts/Agreements

- (1) Adoption of resolutions authorizing the City Attorney to negotiate and execute amendments to the following legal services agreements related to the development of the North Coyote Valley Industrial Campus Area:

- (a) A second amendment to the agreement with Jones Hall, extending the term through June 30, 2001 at no additional cost to the City.
- (b) A second amendment to the agreement with McCutchen, Doyle, Brown & Enersen, LLP, extending the term through December 31, 2001, and increasing compensation by \$30,000, to a total amount not to exceed \$150,000.
- (c) A second amendment to the agreement with Morrison & Foerster, LLP, increasing compensation by \$60,000, to a total amount not to exceed \$180,000.

(City Attorney's Office)

**Resolution Nos. 70058-70060 adopted.**

- (d) Adoption of appropriation ordinance and funding sources resolution amendments in the Construction Excise Tax Fund to provide an additional \$312,500 for the Cisco: North Coyote Valley Improvements Project. (City Manager's Office)

**Ordinance No. 26266 adopted.**

**Resolution No. 70061 adopted.**

- (2) Adoption of a resolution authorizing the City Attorney to negotiate and execute a second amendment to the legal services agreement with Curiale, Dellaverson, Hirschfeld, Kelly & Kraemer, extending the term through June 30, 2001, and increasing compensation by \$60,000, to a total amount not to exceed \$150,000, and adoption of related appropriation ordinance amendments in the General Fund.

(City Attorney's Office)

**Resolution No. 70062 adopted.**

**Ordinance No. 26267 adopted.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (3) Approval of an agreement for legal services in connection with federal regulatory matters and route proceedings pertaining to San José Airport with Shaw, Pittman, Potts & Trowbridge, a Washington, D.C. firm, for the period of October 1, 2000 through September 30, 2001, in an amount not to exceed \$200,000. (City Attorney's Office)  
**Approved.**
- (4) Approval of an agreement for legal services with Gatzke, Dillon, and Balance for the period of December 1, 2000 through November 30, 2001, in an amount not to exceed \$125,000. (City Attorney's Office)  
**Approved.**
- (5) Adoption of a resolution approving an agreement with City employee bargaining units making amendments and benefit changes in the Federated Retirement System subject to ratification. (City Manager's Office)  
**Resolution No. 70063 adopted.**
- (6) (a) Approval of the second amendment to the agreement with Intergraph Corporation to create custom reports for the Department of Planning, Building and Code Enforcement's Building Division, increasing the existing agreement by \$100,000, from \$5,639,451 to \$5,739,451, and extending the term of the agreement from September 30, 2001 to December 30, 2001.  
**Approved.**
- (b) Adoption of a resolution authorizing the City Manager to negotiate and execute change orders to the Intergraph agreement in an amount not to exceed \$200,000.  
**Resolution No. 70064 adopted.**
- (c) Adoption of appropriation ordinance and funding sources resolution amendments in the General Fund in the amount of \$201,081.  
(City Manager's Office)  
**Ordinance No. 26268 adopted.**  
**Resolution No. 70065 adopted.**
- (7) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with artist Seyed Alavi to fabricate and install a work of art at Horace Mann Elementary School, in an amount not to exceed \$70,000. CEQA: Negative Declaration. (Conventions, Arts and Entertainment)  
**Resolution No. 70066 adopted.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (8) Adoption of a resolution authorizing the City Manager to negotiate and execute the first amendment to the grant agreement with History San José to perform maintenance tasks, and increase compensation by \$54,000, for the repair of HVAC systems at both the Pacific Hotel and the Firehouse, and to extend the term through June 30, 2001. CEQA: Resolution No. 66098. (Conventions, Arts and Entertainment)

**Resolution No. 70067 adopted.**

- (9) Adoption of a resolution authorizing the City Manager to negotiate and execute a property use agreement with Hensel Phelps Construction Company to permit use of unimproved space at the Convention Center for a period of 24 months, in exchange for Hensel Phelps' construction of permanent improvements to the unimproved space. CEQA: Exempt. (Conventions, Arts and Entertainment)

**Resolution No. 70068 adopted.**

- (10) Approval of Contract Change Order No. 4 with Bugler Construction, Inc. for FY 98/99 Capital Improvement Program, East Primary Handrail Replacement at the San José/Santa Clara Water Pollution Control Plant, increasing compensation by \$74,500, from \$763,725 to \$838,225, with no contract time extension. (Environmental Services)

**Approved.**

- (11) Approval of the fifth amendment to the agreement with Montgomery Watson for program management services in support of the South Bay Water Recycling Program at the San José/Santa Clara Water Pollution Control Plant, extending the term of the agreement from December 15, 2000 to December 15, 2001, at no additional cost to the City. CEQA: Resolution No. 64667. (Environmental Services)

**Approved.**

- (12) Approval of a continuation agreement with Schaaf & Wheeler for customer retrofit design and construction management services in support of the South Bay Water Recycling Program of the San José/Santa Clara Water Pollution Control Plant, extending the term of the agreement from December 15, 2000 to December 31, 2001, at no additional cost to the City. CEQA: ND. (Environmental Services)

**Approved.**

- (13) Approval of the first amendment to the consultant agreement with H.T. Harvey and Associates relating to the Moseley Tract Restoration Project, extending the term of the agreement from December 31, 2000 to December 31, 2002, at no additional cost to the City. (Environmental Services)

**Approved.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (14) Approval of the second amendment to the continued banking services agreement with Bank of America, to extend the term of the agreement on a month-to month basis, not to exceed a period of six months at existing rates. (Finance)

**Approved.**

- (15) Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 #22, and authorization for the Director of General Services to execute the purchase orders. (General Services)

**Approved.**

- (16) Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 #23, and authorization for the Director of General Services to execute the purchase orders. (General Services)

**Approved.**

- (17) Reject all bids for the purchase of microform reader printers and authorize the Director of General Services to re-solicit bids. (General Services)

**Approved.**

- (18) Award the sole source purchase of one (1) UNIX based fingerprint identification workstation and computer upgrade equipment to Printrak International, Inc., at a total cost of \$232,737.50, including tax and installation, and authorization for the Director of General Services to execute the purchase order. (General Services)

**Approved.**

- (19) Approval of a second amendment to the agreement with Staton & Hughes for development and implementation of an outreach and marketing plan for the Library, revising the scope of services, extending the term of the contract from December 31, 2000 to June 30, 2001, and increasing compensation by \$18,000, from \$169,000 to \$187,000. (Library)

**Approved.**

- (20) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Dance Kids, Inc. to provide recreation instruction at City community centers and parks for the period January 1, 2001 to December 31, 2001, in an amount not to exceed \$120,000. (Parks, Recreation and Neighborhood Services)

**Resolution No. 70069 adopted.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (21) Approval of an agreement with Friends of San José Beautiful to disburse Beautification Grants for the period July 1, 2000 to June 30, 2003, in an amount not to exceed \$50,000 per year for three (3) years, for a total grant disbursement amount of \$150,000. CEQA: Exempt. (Parks, Recreation and Neighborhood Services)  
**Approved.**
- (22) Adoption of a resolution authorizing the Director of General Services to:
- (a) Execute an agreement for the period October 1, 2000 to September 30, 2001, for hardware and software maintenance on the Automated Fingerprint Identification System (AFIS) and associated equipment maintained by the Central Identification Unit with Printrak International, Inc. at a total cost, including tax of \$146,948.
  - (b) Exercise four (4) one-year options to renew, with an increase in cost not to exceed 5% per year, based on Council appropriation of the funds each year.  
(Police)  
**Resolution No. 70070 adopted.**
- (23) Approval of the substitution of subcontractor from Fuller Excavation and Demolition, Inc. to KJM Enterprises, Inc. for the Moorpark-Saratoga Sanitary Sewer Rehabilitation Phase I Project, at no additional cost to the City. CEQA: Exempt. (Public Works)  
**Approved.**
- (24) Approval of Contract Change Order No. 1 to postpone the start of work by the contractor, FCI Constructor, Inc., until the 2001 construction season for the Trimble Road Bridge Widening at the Guadalupe River Project, at no additional cost to the City. CEQA: ND. (Public Works)  
**Approved.**
- (25) Report on bids and award of construction contract for the Police Athletic League Modular Building Site Work Project to the low bidder, Design Space Modular Buildings, Inc., in the amount of \$168,289, and approval of a contingency in the amount of \$17,000. CEQA: Exempt. (Public Works)  
**Approved.**
- (26) Approval of three (3) five-year lease agreements with La Familia, LP for office space at 777 North First Street, for a combined monthly rent of \$117,457.10 per month during the first year of the leases, with annual increases of approximately 4% to a maximum rate of \$136,515.20 per month during the fifth and final year of the leases. (Public Works)  
**Approved.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (27) Adoption of a resolution authorizing the City Manager to exercise an option to extend City provision of First Responder (paramedic) Services, under an agreement between the City and Santa Clara County, to cover the period January 1, 2001 through March 31, 2001. (City Manager's Office/Fire)  
(Rules Committee referral 12/13/00)

**Resolution No. 70071 adopted.**

- (28) Adoption of a resolution authorizing the City Manager to execute an agreement (modification #1) by and among Pacific Bell Telephone and the City of San José, for 311 service, for a total cost of \$91,800, for the period July 1, 2000 to June 30, 2001. (Information Technology)  
(Rules Committee referral 12/13/00)

**Resolution No. 70072 adopted.**

- (29) Approval of the first amendment to the agreement with Degenkolb Engineers, Inc. for consultant services for the New Civic Center Project, extending the agreement term from December 31, 2000 to December 31, 2003, and increasing compensation by \$70,000, from \$50,000 to \$120,000. (Public Works)  
(Rules Committee referral 12/13/00)

**Approved.**

### f. Routine Legislation

- (1) Adoption of appropriation ordinance and funding sources resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for the Interactive Playground at St. James Park and the Bellevue Park Master Plan (Design Phase), with a net impact to the fund of \$260,000, and adoption of a resolution making certain determinations pertaining to these projects pursuant to Health & Safety Code Section 33445. (City Manager's Office)

**Ordinance No. 26269 adopted.**

**Resolution No. 70073 adopted.**

- (2) Adoption of appropriation ordinance and funding sources resolution amendments in the General Fund to provide financial support for the Silicon Valley Football Classic, in the amount of \$77,000. (City Manager's Office)

**Ordinance No. 26270 adopted.**

**Resolution No. 70074 adopted.**

## 6 CONSENT CALENDAR

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### f. Routine Legislation

- (3) Adoption of a resolution authorizing the City Manager to submit the following grant applications to support the City of San José's Arts Incubator and to accept the funds and negotiate and execute related documents if awarded:
- (a) FY 2001-03 two-year Stabilization Grant Application to the National Endowment for Arts in an amount not to exceed \$300,000; and
  - (b) FY 2001-02 Organizational Support Grant Application to the California Arts Council in an amount not to exceed \$150,000.
- (Conventions, Arts and Entertainment)  
**Resolution No. 70075 adopted.**
- (4) Adoption of a resolution authorizing the City Manager to submit a grant application to the California Arts Council for support of the Arts Education Demonstration Project, in an amount not to exceed \$150,000, to accept the grant if awarded, and to execute any related documents. (Conventions, Arts and Entertainment)  
**Resolution No. 70076 adopted.**
- (5) Adoption of a resolution authorizing the City Manager to apply on behalf of the San José Public Library for membership to the Library of California/Golden Gateway Library Network and to execute all documents related to the application. (Library)  
**Resolution No. 70077 adopted.**
- (6) Adoption of a resolution authorizing:
- (a) The City Manager to submit a grant application for the Retired and Senior Volunteer Program (RSVP) to the Corporation for National Service for the period April 1, 2001 to March 31, 2002, in the amount of \$80,656.
  - (b) To accept the grant when awarded and to execute documents needed to implement the grant program.
- (Parks, Recreation and Neighborhood Services)  
**Resolution No. 70078 adopted.**
- (7) Adoption of a resolution determining that public use and necessity require the acquisition of a 12,993 square foot parcel of land owned by Paul and Afaf Ajlouny, located at 503 South Sixth Street in San José, and directing the City Attorney to file an eminent domain action. CEQA: Exempt. (Public Works)  
**Resolution No. 70079 adopted.**
- (8) Adoption of a resolution amending Resolution No. 69136 to change speed limits on the following sections of Penitencia Creek Road within the City of San José:
- (a) Penitencia Creek Road: White Road to Toyon Avenue, 30 miles per hour.
  - (b) Penitencia Creek Road: Toyon Avenue to Dorel Drive, 25 miles per hour.
- CEQA: Exempt. (Streets and Traffic)  
**Resolution No. 70080 adopted.**

## 6 CONSENT CALENDAR

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### f. Routine Legislation

- (9) Adoption of a resolution approving of a policy to allow memorials in the public right-of-way for City employees who die in the line of duty. (City Manager's Office)

(Rules Committee referral 12/13/00)

**Resolution No. 70082 adopted.**

- (10) Adoption of a resolution approving Council Appointee salary adjustment recommendations. (Mayor)  
[Orders of the Day 4a]

**Resolution No. 70081 adopted.**

## 7 COMMISSION, COMMITTEE, AND STANDING REPORTS

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### a. Report of the Study Session – October 19, 2000

#### Mayor Gonzales, Chair

- (1) Investing in Results Service Delivery Framework  
**Council accepted the Staff report and referred the issues raised by Council Members for inclusion in the Administration's January 2001 report.**

### b. Report of the Rules Committee

#### Vice Mayor Fiscalini, Chair

Meeting of December 6, 2000

- (1) Review December 19, 2000 Draft Agenda  
**The Committee approved the December 19, 2000 City Council agenda with five additions.**
- (2) Add New Items to December 12, 2000 Amended Agenda  
**The Committee recommended five additions to the December 12, 2000 City Council agenda.**
- (3) Meeting Schedules  
**There were none.**
- (4) The Public Record  
**The Committee noted and filed the Public Record.**
- (5) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee  
**There were none.**
- (6) Oral communications  
**None presented.**

## 7 COMMISSION, COMMITTEE, AND STANDING REPORTS

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### b. Report of the Rules Committee (Cont'd.)

#### Vice Mayor Fiscalini, Chair

Meeting of December 6, 2000 (Cont'd.)

- (7) Adjournment

**The meeting was adjourned at 2:05 p.m.**

Meeting of December 13, 2000

- (1) Review December 26, 2000 Draft Agenda

**DROP – Holiday Closure**

- (2) Add New Items to December 19, 2000 Amended Agenda

**The Committee recommended eleven additions to the December 19, 2000 City Council agenda.**

- (3) Meeting Schedules

- (a) Approve recommendation to drop Council Study Session on Smart Growth from the 2000 calendar

**The Committee recommended dropping the City Council Study Session on Smart Growth from the 2000 calendar.**

- (4) The Public Record

**The Committee noted and filed the Public Record.**

- (5) Boards and Commissions

**The Committee directed the City Clerk to conduct a blind drawing for those commissions with more than one vacancy and varying term ending dates, with the results of the draw noted in the Rules Committee report. The Committee recommended the following appointments:**

- (a) Advisory Commission on Rents

**The Committee recommended appointment of Larry Hull (Incumbent) and Darrold Wagner (Incumbent) to four-year terms ending December 31, 2004; and directed the City Clerk to readvertise for a neutral representative.**

- (b) Child Care Commission

**The Committee recommended appointment of Devonnie MacLaren to an unexpired term ending June 30, 2002; and directed the City Clerk to readvertise for the two vacant positions.**

- (c) CDBG Steering Committee

**The Committee directed the City Clerk to readvertise for a District 5 representative.**

## 7 COMMISSION, COMMITTEE, AND STANDING REPORTS

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### b. Report of the Rules Committee (Cont'd.)

#### Vice Mayor Fiscalini, Chair

Meeting of December 13, 2000 (Cont'd.)

- (5) Boards and Commissions (Cont'd.)
  - (d) Disability Advisory Commission  
**The Committee recommended appointment of Harold Cole to an unexpired term ending June 30, 2002 and Murrie Zlotziver to an unexpired term ending June 30, 2004.**
  - (e) Disadvantaged Business Development Commission  
**The Committee recommended appointment of Miguel Chacon and Charles Jones, Jr. to four-year terms ending December 31, 2004; and directed the City Clerk to readvertise the two vacant positions.**
  - (f) Housing Advisory Commission  
**The Committee recommended appointment of Amy Glad and Joyce Turner to four-year terms ending December 31, 2004.**
  - (g) Human Rights Commission  
**The Committee recommended appointment of Linda Colar, Jose Hernandez and James Weston to four-year terms ending December 31, 2004; and directed the City Clerk to readvertise the vacant position.**
  - (h) Mobile Home Advisory Commission  
**The Committee recommended appointment of Jacquie Heffner to a four-year term ending December 31, 2004; and directed the City Clerk to readvertise for a neutral representative.**
- (6) Acceptance of 2000 State and Federal Legislative Summaries  
**The Committee accepted the State and Federal Legislative Summaries for 2000.**
- (7) Request to use Council General funds by Council Member Dando to attend the League of California Cities' Transportation, Communications and Public Works Policy Committee Meeting in Los Angeles, CA, January 19, 2001  
**The Committee approved the use of Council General Travel funds by Council Member Pat Dando to attend the League of California Cities' Transportation, Communications and Public Works Policy Committee Meeting in Los Angeles, California, January 19, 2001.**
- (8) Council Referrals for Assignment to Appropriate Committee, Administration or Council Appointee  
**There were none.**

## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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### **b. Report of the Rules Committee (Cont'd.)**

**Vice Mayor Fiscalini, Chair**

Meeting of December 13, 2000 (Cont'd.)

- (9) Oral Communications

**None presented.**

- (10) Adjournment

**The meeting adjourned at 2:50 P.M. with Committee Member Shirakawa, Jr. recognizing and thanking both Chair Frank Fiscalini and Member Alice Woody for their many dedicated years of service on the Rules Committee.**

**Rules Committee report and actions of December 6 and 13, 2000 accepted.**

### **c. Report of the Finance and Technology Committee – December 13, 2000 (Partial) Council Member Woody, Chair**

- (5) Proposed Lease and Construction Agreement for Phase III Expansion of Hayes Conference Center

**The Committee voted 2-2 to accept the Staff report and recommendations, with the direction that Staff provide Council Members with an informational memo which includes: a Pro forma for the expanded facility, the original memo from Mayor Hammer dated November 12, 1998, a breakdown of the rents, future capital items, the Hayes Corporation Financial Report and verification of employee rates/benefits.**

**SEE ITEM 9s FOR COUNCIL ACTION TAKEN**

**See Item 9s for Council action on the Finance and Technology Committee report and actions of December 13, 2000.**

### **d. Report of the Economic and Community Development Committee Council Member Diaz, Chair**

**No report.**

### **e. Report of the Transportation and Environment Committee Council Member Powers, Chair**

Meeting of November 30, 2000

(Deferred from 12/12/00 – Item 7e)

- (1) Consent Calendar

**None.**

- (2) Staff Report on Taxi Cab Task Force Report

**The Committee heard the Staff presentation and deferred this item to the December 14, 2000 Transportation and Environment Committee meeting.**

- (3) Oral petitions

**None.**

## 7 COMMISSION, COMMITTEE, AND STANDING REPORTS

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### e. Report of the Transportation and Environment Committee (Cont'd.)

#### Council Member Powers, Chair

Meeting of December 14, 2000

(2) Continued Discussion of Taxi Cab Report

**The Committee approved the following adjustments to the original Staff recommendations: (1) Display materials: as proposed; (2) Limiting the number of cabs: as proposed; (3) Handling of infractions: as proposed, with clarification that the schedule of fees will go back to the Advisory Team for revision, before coming before Council; and (4) Vehicle age/Mileage: as proposed, with direction to Staff to have the Advisory Team discuss standards and application and bring back to the Transportation and Environment Committee on the first year's workplan.**

**SEE ITEM 9I FOR COUNCIL ACTION TAKEN**

**See Item 9I for Council action on the Transportation and Environment Committee report and actions of December 14, 2000.**

### f. Report of the Education, Neighborhoods, Youth, and Seniors Committee

Council Member Shirakawa, Jr., Chair

**No report.**

### g. The Mayor's Aging Leadership Council's Aging Services Master Plan Annual Report - Council Member Woody, Chair

**Council accepted the Annual Report of the Mayor's Aging Leadership Council and referred the Aging Leadership's recommendations to the Administration for analysis, and referred to the Administration, the Mayor's Budget Office and the Education, Neighborhoods, Youth and Seniors Committee the discussion and review of the establishment of a Department on Aging, in conjunction with the strategic plan of the Department of Parks, Recreation and Neighborhood Services, as outlined in Council Member Woody memorandum of December 15, 2000.**

## 8 LAND USE AND DEVELOPMENT

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- a. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the southeast corner of Henwood and Harry Roads adjacent to Arroyo Calero Creek, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow up to 54 single-family detached residential units on 17.3 gross acres. (IBM Real Estate Services, Owner; The Riding Group, Developer). CEQA: Resolution No. 69261. Director of Planning, Building, and Code Enforcement recommends denial.

PDC 99-02-012 - District 10

**Applicant's request denied.**

## 8 LAND USE AND DEVELOPMENT

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- b. PUBLIC HEARING and adoption of a resolution authorizing the reorganization of territory designated as Buena Vista No. 1, which involves the annexation to the City of San José of 38.0 acres of land, consisting of 143 parcels generally bounded by West San Carlos Avenue, Scott Street, Chiechi Avenue, Meridian Avenue, and both sides of Buena Vista Avenue, and the detachment of the same from the Sunol Sanitary District, Burbank Sanitary District, County Library Services, County Lighting District, and Central Fire District. CEQA: Resolution No. 65459. (Planning, Building and Code Enforcement) (Deferred from 12/12/00 – Item 15a)

**Public Hearing was held and three individuals addressed Council.**

**Resolution No. 70096 adopted.**

## 9 GENERAL GOVERNMENT

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- a. Acceptance of the Marketing Feasibility Study which recommends an upgraded/expanded Convention/Conference Center to meet the high tech needs of Silicon Valley; and direction to the Administration to begin a financial feasibility analysis and project scope study. (Conventions, Arts and Entertainment)

**Approved - Staff directed to provide the Consultant's complete report to Council, and to review issues pertaining to client mix, including consideration of national trends; to organize a working group of City and Agency Staff to review long term impacts of an expanded Convention Center on surrounding facilities and to coordinate with the Downtown Strategy Task Force's goals; and provide a status report to Council by February, 2001.**

- b. Adoption of a resolution authorizing the City Manager to negotiate and execute a consultant agreement with Barnestorming Creative/Apex Strategies for marketing communications, customer service, and community relations consulting services for San José International Airport, for the period January 1, 2001 to June 30, 2001, with three (3) one-year options to extend the agreement on a fiscal year basis to June 30, 2004, for a total amount not to exceed \$700,000, subject to annual appropriation of funding for the next year's contract expense. (Airport)

**Staff directed to provide a status report on function and staffing of the communications and customer relations process at the Airport.**

**Resolution No. 70083 adopted.**

## 9 GENERAL GOVERNMENT

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- c. (1) Adoption of a resolution authorizing the City Manager to approve the assignment of the Aris Leasing, Inc. and Air One Inc. leases to COM Investments LLC (COM) and to execute a new lease with COM for the construction and operation of a new Fixed Base Operation on the sites currently occupied by Aris and Air One.
- (2) Adoption of a resolution authorizing the City Manager to approve the early termination of the east side ACM Fixed Base Operation, and to execute a new lease for the construction and operation of a relocated operation on the west side of the Airport.
- (3) Authorization for the Director of Aviation to make an early buy-out of the Lease with Specialty Restaurants (94<sup>th</sup> Aero Squadron Restaurant) in accordance with the buyout formula established in the lease.
- (4) Adoption of a resolution approving a minor amendment to the adopted Airport Master Plan to facilitate the proposed relocation of the ACM leasehold from the east side of the airport to the west side including:
- (a) Buyout and early demolition of the 94<sup>th</sup> Aero Squadron leasehold improvements.
  - (b) Relocation of the FAA Radio Transmitter (RTR) leasehold to a site adjacent to the FAA Air Traffic Control Tower.
  - (c) Relocation of the general aviation aircraft “run-up” pad to a new site adjacent to the south end of Runway 11-29.

CEQA: Resolution No. 67380. (Airport)

**Dropped.**

- d. Approval of a first amendment to the consultant agreement with Brown and Caldwell Consulting Engineers for engineering and technical support services, related to flow metering, inactive sludge lagoon renovation, chlorine dosage reduction, and wetland mitigation, extending the term of the agreement from January 31, 2001 to January 31, 2002, revising the scope of services, and increasing compensation by \$450,000, from \$500,000 to a total amount not to exceed \$950,000. (Environmental Services)

**Approved.**

- e. Report on Request for Proposals and adoption of a resolution authorizing the Director of General Services to negotiate and execute:
- (a) A one-year agreement for janitorial services for City facilities with Acme Building Maintenance for a contract amount of \$1,671,198, and an additional amount of \$170,000 for supplemental work, for a total cost not to exceed \$1,841,198, for the period January 13, 2001 to January 12, 2002.
  - (b) Four one-year options for renewal with an adjusted rate of compensation based on the Consumer Price Index not to exceed 7% per year without further Council action other than the approval of funds each year.
  - (c) An extension of the current month-to-month contract with Master Cleaning Systems Inc. for park restrooms janitorial services in an amount not to exceed \$20,000 per month, for the period between January 15, 2001 and June 30, 2001.

(General Services)

**Resolution No. 70084 adopted.**

## 9 GENERAL GOVERNMENT

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- f. Review and consideration of opportunities to increase housing production in San José.  
(Mayor)  
**Deferred to 01/09/01.**
- g. Adoption of a resolution approving a land acquisition, construction, and permanent loan increase of up to \$4,000,000, for a total loan of up to \$9,650,000, for the construction and permanent financing of 96-unit Northside Senior Housing Project on the south side of Empire Street between North 6<sup>th</sup> Street and North 7<sup>th</sup> Street. (Housing)  
**Council directed the Administration to develop a process to ensure the availability of operating and maintenance funding for similar projects as a means of protecting the City's long term investments on similar projects. Resolution No. 70085 adopted.**
- h. (1) Report on bids and award of contract for the Lincoln Glen Park Play Area Phase I Improvements Project to the low bidder, Robert A. Bothman, Inc., in the amount of \$1,218,866, and approval of a contingency in the amount of \$85,000. CEQA: Exempt. (Public Works)  
**Approved.**
- (2) Adoption of appropriation ordinance amendments in the Council District 6 Construction and Conveyance Tax Fund, increasing the appropriation for the Lincoln Glen Park Project by \$345,000. (City Manager's Office)  
**Ordinance No. 26271 adopted.**
- i. Adoption of a resolution :
- (1) Approving the agreement with Henry & Sylvia La Pachet and Hazel Y. Belli, for the purchase of fee title and easement rights in land required for the extension of Hellyer Avenue, located at 496 Piercy Road in San José, APN # 678-08-023, in the amount of \$1,000,000 plus related closing costs.
- (2) Authorizing the Director of Public Works to negotiate and execute the necessary documents to complete the transaction including the additional purchase of a 4,813 square foot slope easement in an amount not to exceed \$20,000. CEQA: Resolution No. 69699.  
(Public Works)  
**Resolution No. 70086 adopted.**
- j. Adoption of a resolution approving a Minor Amendment to the Airport Master Plan to modify the terminal area development projects. CEQA: Resolution No. 67380.  
(Airport)  
(Deferred from 12/12/00 – Item 9d)  
**Deferred to 01/23/01.**

## 9 GENERAL GOVERNMENT

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- k. Interview applicants to fill four vacancies on the San José Appeals Hearing Board; (1) one four-year term ending 12/31/04 designated for an attorney; and (2) three four-year terms ending 12/31/04. (City Clerk)  
(Deferred from 12/12/00 – Item 9f)  
**Deferred to 01/09/01 to be heard last.**
- l. Acceptance of staff's report on the Taxi Cab Task Force's Report. (City Manager's Office)  
[Transportation and Environment Committee referral 11/30/00 – Item 7e(2)]  
(Deferred from 12/12/00 – Item 9l)  
**Council accepted the Staff report and recommendations dated December 15 and 19, 2000, as amended to refer the recommendations to the Taxicab Advisory Task Force as its first order of business for a quick review and report to Council, without advancing forward the 18-month grace period for the ordinance that will be adopted to take effect; with status reports to Council; and with the fare increase issue to be sent to the Advisory Task Force in February and come to the Council in March.**
- m. (1) Approval of recommendations regarding issuance of a Request For Proposal to operate and or lease the Municipal Water System including:  
(a) Determine whether the RFP should solicit proposals to manage or lease the System or both; and  
(b) Approve the development and submission of a Management Plan in the RFP process which would present the option of retaining operating responsibility for the system in Environmental Services Department; and  
(c) Approve establishment of an RFP Team including representatives of the Administration, the City Attorney's Office, and the consultants, to draft the RFP, including the basis for setting water rates during the term of the agreement with a third party, if approved, and bring it back to the City Council for its review and approval; and  
(d) Determine that the City should retain responsibility for control and marketing of the City's recycled water.  
(City Manager's Office)  
**Council approved Staff recommendation dated December 12, 2000 and recommendations dated December 14, 2000 by Mayor Gonzales and Vice Mayor Fiscalini, and gave direction that prior to designing the RFP, Staff report back in mid-January with recommendations on steps to facilitate City staff in competing with private companies in responding to the RFP, and report back to Council with the RFP six weeks after contracting with consultants to assist the internal competition teams. Noes: LeZotte, Woody.**
- (2) Adoption of appropriation ordinance amendments in the Municipal Water Utility Fund 515 in the amount of \$100,000. (City Manager's Office)  
**Ordinance No. 26272 adopted. Noes: LeZotte, Woody.**

(Item continued on next page)

## 9 GENERAL GOVERNMENT

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m. (Cont'd.)

- (3) Adoption of a resolution authorizing the City Manager to negotiate and execute a first amendment to the agreement with HDR Engineering, Inc., in the amount of \$200,000, for a total amount not to exceed \$250,000, to provide for the preparation and circulation of an RFP for the operation and/or lease of the Municipal Water System, and for the evaluation of proposals received in that process, and extending the term of the agreement to August 31, 2001.

**Resolution No. 70087 adopted. Noes: LeZotte, Woody.**

- (4) Adoption of a resolution authorizing the City Attorney to negotiate and execute a second amendment to the agreement with Hawkins, Delafield and Wood in the amount of \$100,000, for a total amount not to exceed \$150,000, to provide for legal services and assistance in the preparation of an RFP for the operation and/or lease of the Municipal Water System, and for the evaluation of proposals received in that process, and extending the term of the agreement to August 31, 2001.

(City Manager's Office)

(Referred from Study Session 11/29/00)

(Deferred from 12/12/00 – 9m)

**Resolution No. 70088 adopted. Noes: LeZotte, Woody.**

n. Naming City Facilities:

- (1) Recommendation of the Parks and Recreation Commission to name a new park in the vicinity of Wilson and San Fernando Streets, "Cahill Station Park."

**Recommended name was amended to "Cahill Park" and approved.**

- (2) Recommendation of the Parks and Recreation Commission to name a new park to be developed in the Del Monte Plant 51 site near Meridian and Auzerais Streets, "O'Connor Park."

**Recommended name of "O'Connor Park" approved.**

- (3) Recommendation of the Parks, Recreation, and Neighborhood Services Staff to name a new park adjacent to Desmet Street, "Rubino Park."

(City Clerk)

(Rules Committee referral 12/13/00)

**Recommended name of "Rubino Park" approved.**

- o. Approval of an ordinance amending Section 23.02.800 of Chapter 23.02 and Sections 23.04.120, 23.04.310, and 23.04.610 of Chapter 23.04 of Title 23 of the Municipal Code to amend the policy provision of the sign ordinance, to amend provisions regarding the size of certain construction signs and the amount of directional signs on large sites, and to allow additional signage on large buildings downtown. (Planning, Building and Code Enforcement/City Attorney's Office)

(Rules Committee referral 12/13/00)

**Ordinance No. 26273 passed for publication.**

## 9 GENERAL GOVERNMENT

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- p. Adoption of an urgency ordinance extending the terms of Ordinance No. 22128, granting a non-exclusive cable television franchise to Gill Industries, Inc., from December 31, 2000 to March 30, 2001, and setting forth the reasons for the urgency. (City Manager's Office/City Attorney)  
(Rules Committee referral 12/13/00)  
**Urgency Ordinance No. 26274 adopted.**

- q. (1) Approval of the Amended and Restated Arena Management Agreement with San José Arena Management to extend the term of the Agreement by ten years to 2019, renaming the San José Arena to Compaq Center at San José and making related rent and revenue sharing modifications.
- (2) Approval of the Amendment to the Hockey Use Agreement between San José Arena Management and the San José Sharks to extend the term to equal the new term of the Management Agreement.
- (3) Approval of the Naming Rights and Trademark License Agreement among Compaq Computer Corporation, San José Arena Management, and the City.
- (4) Direct the City Attorney to draft an ordinance making sign code modifications to adjust the height restrictions for building signs and allow roof signs for certain described buildings in the Downtown.

(City Manager's Office)

(Rules Committee referral 12/13/00)

### **THIS ITEM HEARD LAST**

**Council approved the Staff recommendations dated December 15, 2000 and recommendations in the December 15, 2000 memorandum from Mayor Gonzales, Vice Mayor Fiscalini, and Council Members Dando and Diquisto, and directed Staff to: (1) review the issues raised by Council Members regarding the proportionality of "San Jose" on the signs, especially at the north and south entrances, (2) review security and security personnel issues raised relative to the City's and the Arena's responsibility for off-site security and traffic control prior to finalizing traffic management and security plan agreements; and (3) review any outstanding issues for report and recommendations to Council for resolution. Noes: LeZotte, Shirakawa, Jr.**

- r. (1) Adoption of appropriation ordinance amendments in the Anti-Tobacco Master Settlement Agreement Revenue Fund (426) related to Healthy Neighborhoods Venture funding recommendation for Cycle 1.  
**Ordinance No. 26275 adopted.**
- (2) Authorization for additional positions in the Parks, Recreation and Neighborhood Services Department.  
**Approved.**

**(Item continued on next page)**

## 9 GENERAL GOVERNMENT

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r. (Cont'd.)

- (3) Adoption of a resolution authorizing the Director of Parks, Recreation and Neighborhood Services Department to negotiate and execute agreements to implement the Cycle 1 funding.

(City Manager's Office)

(Rules Committee referral 12/13/00)

**Resolution No. 70089 adopted.**

s. Adoption of a resolution authorizing the City Manager to negotiate and execute the following agreements related to the Hayes Mansion Conference Center Phase III Improvements:

- (1) Agreements with Hayes Renaissance, Inc. for construction of Phase III On-Site Improvements and for construction of an underground parking garage in Edenvale Garden Park; and
- (2) A Second Amended and Restated Lease with Hayes Renaissance, L.P. to extend the term of the lease for the Hayes Mansion until December 31, 2051 and to include provisions related to the Phase III On-Site Improvements.

CEQA: Negative Declaration.

(City Manager's Office/Finance)

[Finance and Technology Committee referral 12/13/00 – Item 7c(5)]

**Resolution No. 70090 adopted.**

## 10 FISCAL AFFAIRS

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a. Adoption of a new Parking Rate Resolution establishing a parking rate and program for residential parking in City off-street parking facilities. (Streets and Traffic)

**Staff directed to report back to the Transportation and Environment Committee with utilization data.**

**Resolution No. 70091 adopted.**

- b. (1) Direction to staff to initiate proceedings pursuant to San José Municipal Code Section 14.15 to create new Maintenance Assessment Districts to replace former Maintenance Assessment Districts 6 and 12; and
- (2) Direction to staff to modify landscaping to current City streetscape standards in former Maintenance Assessment District 14, and to continue the maintenance of the district with district funds until such funds are exhausted.

(Streets and Traffic)

**Approved - Staff directed to work with the California Renaissance Homeowners Association on issues raised by the speaker.**

**11 JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEMS**

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**Council convened the Redevelopment Agency Board at 4:35 p.m. to consider Item 11a, 11b, 11c, 11d, 11e, and 11f in a Joint Session.**

- a. Adoption of City and Agency resolutions amending the Conflict of Interest Codes for the City of San José and the San José Redevelopment Agency. (City Clerk)  
**Agency resolution adopted.**  
**Resolution Nos. 70092-70093 adopted.**
  
- b. (1) Approval of a cooperation agreement with the Santa Clara Valley Transportation Authority for preliminary studies and design of the Route 880/Coleman Avenue Interchange Project in an amount not to exceed \$5,000,000. (Public Works)  
**Approved.**
  
- (2) Adoption of resolutions:
  - (a) By the City Council making certain determinations required by Health & Safety Code Section 33445 regarding the Agency's funding of public improvements at the 880/Coleman interchange; and  
**Resolution No. 70094 adopted.**
  
  - (b) By the Agency Board:
    - (1) Approving the addition of \$500,000 in funding for the 880/Coleman interchange project north of the Julian Stockton area from the Capital Reserve; and
    - (2) Amending the FY 2000-2001 Agency Appropriation Resolution; and
    - (3) Authorizing the transfer of \$1,500,000 to the City for development of 880/Coleman interchange project.  
**Agency resolution adopted.**
  
- (3) Adoption of appropriation ordinance amendments in the Building and Structure Construction Tax Fund to provide an additional \$1.5 million for the Route 880/Coleman Interchange Upgrade Project.  
(City Manager's Office)  
**Ordinance No. 26276 adopted.**
  
- c. Adoption of an urgency ordinance imposing a moratorium on certain ground floor uses in buildings within a portion of the Downtown Core bounded by Saint John Street, Fourth Street, San Salvador Street, and the east side of Almaden Boulevard and referring this ordinance to the Planning Commission for study and consideration. (City Attorney's Office/General Counsel)  
**Council amended the length of the Staff recommended moratorium from six months to 90 days.**  
**Urgency Ordinance No. 26277 adopted.**

## 11 JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEMS

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- d. (1) 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.
- (2) Final adoption of ORDINANCE NO. 26196 – Adopts the Neighborhood Business Clusters Redevelopment Plan and makes certain findings.
- (3) 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.

(Deferred from 9/19/00 – Item 11a et al., and 12/12/00 – Item 11a)

**Deferred to 01/09/01.**

- e. Adoption of resolutions by the City Council and Redevelopment Agency Board:
- (1) Approving the transfer of the Redevelopment Agency-owned property located at 937-943 Locust Street to the Housing Department to provide transitional housing for fire victims and others displaced through no fault of their own;
- (2) Authorizing the expenditure of up to \$500,000 in 20% Low and Moderate Income Housing Funds to make necessary repairs to the SRO building;
- (3) Authorizing the City Manager to select a provider to own and manage the property and to negotiate the terms of occupancy; and
- (4) Finding that the use of 20% Housing Funds for the project is of benefit to the Redevelopment Project Areas in San Jose.

(Fire/Housing)

(Deferred from 11/7/00 – Item 9c et al., and 12/12/00 – Item 11b)

**Deferred to 01/23/01.**

## 11 JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEMS

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f. Adoption of resolutions to:

- (1) Direct Planning staff to place on the agenda the initiation of a City Council-initiated planned development rezoning encompassing all land within the River Street Historic District, identifying the appropriate range of permitted land uses and establishing the appropriate development standards and historic preservation requirements.
- (2) Accept the Keyser Marston report.
- (3) Authorize Agency staff to negotiate the acquisition of up to 12 properties at fair market value and release an RFQ for development of these properties.
- (4) Direct City administration and Redevelopment Agency to pursue additional parking including the dedication and development of the surplus Santa Clara Valley Water District property located between the River Street Enclave and West Julian Street and to implement parallel on street parking in the Historic District Area.
- (5) Direct City Administration to increase efforts to encourage the maintenance of the Historic properties, including the use of increased Police patrols, code enforcement, and security lighting.

(Planning, Building and Code Enforcement)

(Deferred from 12/12/00 – Item 11c)

**Staff was directed to work with the contractor on the properties currently being rehabilitated to generate interest and potential leasers, and provide the financial viability status of historic properties already acquired for rehabilitation.**

**Agency resolution adopted.**

**Resolution No. 70095 adopted.**

**The Redevelopment Agency Board was adjourned at 5:00 p.m.**

## 12 PERMITS AND LICENSES

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## 13 PUBLIC SAFETY AND WELFARE

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## 14 CLOSED SESSION REPORT

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**City Manager Del D. Borgsdorf, reported the following executive appointments confirmed unanimously by the City Council:**

- (1) **Wandzia Gryez, Chief Information Officer**
- (2) **Scott Johnson, Director of Finance**

## 15 ORAL COMMUNICATIONS

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- (1) **Ross Signorino addressed the dedication and service to San José of the outgoing Council Members.**
- (2) **Danny Garza spoke about access difficulties experienced with the Spanish Cultural Center.**

## 16 ADJOURNMENT

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Council adjourned at 6:15 p.m. to a meeting of the City of San José Financing Authority and to a Joint Council/Redevelopment Agency meeting immediately afterwards.

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The following resolutions were adopted at the Joint City Council/Redevelopment Agency Board meeting immediately following the City Council Meeting on December 19, 2000:

8a Adoption of resolutions:

- (1) By the Agency Board approving an Owner Participation Agreement with the San José Unified School District providing for Agency Assistance in an amount not to exceed \$7,000,000 for the Horace Mann School Project and in an amount not to exceed \$1,500,000 off-site streetscape improvements; and
- (2) By the City Council making certain findings related to public improvement determinations; and,
- (3) By the Agency Board approving the second amendment to the agreement with Moore Ruble Yudell, in the amount of \$28,500, for a total contract amount not to exceed \$728,500, for architectural design services for the proposed new Horace Mann School Project, at no increase to the Agency's project budget.

CEQA: Negative Declaration to be adopted by the San José Unified School District (CIVIC PLAZA)

**Resolution No. 70097 adopted.**

**Staff directed to review with the San José Unified School District the aesthetics of the proposed fencing at Horace Mann School.**

8b Adoption of resolutions by the City Council and Agency Board approving the Annual Report of Financial Transactions of Community Redevelopment Agencies, FY 1999-00, and directing Staff to forward the report to the State of California Controller.

**(MERGED)**

**Resolution No. 70098 adopted.**

**Agency resolutions adopted.**

The following resolutions were adopted at the Joint City Council/Redevelopment Agency Board meeting immediately following the City Council Meeting on December 19, 2000 (Cont'd.):

- 8c Adoption of resolutions by the City Council and Agency Board approving the schematic design for Sherman Street Park Plaza, directing Staff to analyze street closure, and making certain determinations pertaining to the Sherman Street Park Plaza Project, located at the intersection of Oak and Sherman Streets and related to the Biblioteca and Washington United Youth Center Projects. CEQA: Resolution No. 65459 (MONTEREY CORRIDOR)

**Resolution No. 70099 adopted.**

- 8d City Council and Agency actions:

- (1) Adoption of resolution by the Agency Board approving the addition of \$300,000 to the Adopted FY 2000-2001 Capital Budget, Tech Museum of Innovation project line from the Capital Reserve; and,

**Agency resolution adopted.**

- (2) Adoption of a resolution by the Agency Board approving the amendment of the FY 2000-2001 Agency Appropriations Resolution; and,

**Agency resolution adopted.**

- (3) Adoption of resolutions by the City Council and Agency Board approving the amendment of the Cooperation Agreement between the City and the Agency to provide for City acceptance of the Tech Museum of Innovation, and the Agency transfer of \$130,000 for miscellaneous public improvements to the Tech Museum; and,

**Resolution No. 70100 adopted.**

**Agency resolution adopted.**

- (4) Agency Board approval of the second amendment to the agreement with Rosenberg McGinnis AIA, Inc., in the amount of \$50,000, for a total contract amount not to exceed \$100,000 for forensic architectural and litigation support services in connection with The Tech Museum, and authorizing the General Counsel to extend the term one year.

(PARK CENTER)

**Approved.**

**CITY OF SAN JOSÉ FINANCING AUTHORITY  
AGENDA**

**1:30 P.M**

**TUESDAY, DECEMBER 19, 2000**

**CHAMBERS**

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1. Call to Order 6:16 p.m.  
**Absent - Council Members:           None.**
  
2. Adoption of a resolution of the City of San José Financing Authority stating its intent to issue tax-exempt debt to finance the cost of acquiring and installing parking guidance system, revenue control equipment, parking meter improvements and other parking related capital projects throughout the Parking System and to reimburse expenditures incurred prior to the issuance of the bonds. (Finance)  
(Rules Committee referral 12/13/00)  
**Resolution No. SJFA-47 adopted.**
  
3. Adjourn the San José Financing Authority  
**The San José Financing Authority was adjourned at 6:17 p.m.**