



CITY COUNCIL AGENDA

APRIL 9, 2002

SYNOPSIS

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
NORA CAMPOS

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.

- **Call to Order and Roll Call**
9:34 a.m. Closed Session, Room 600, City Hall
Absent - Council Member LeZotte (excused).

- 1:30 p.m. Regular Session, Council Chambers, City Hall**
Absent - Council Members: None.

- **Invocation (District 4)**
Chun Lee gave a presentation about Falun Gong , the practice of truth, compassion and tolerance in your daily life, and delivered the invocation.

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

- **Orders of the Day**
Approved with one addition:
Item 4.3 continued to April 16, 2002.

1 CEREMONIAL ITEMS

2 CONSENT CALENDAR

2.1 Approval of Minutes.

Recommendation: Approval of City Council Minutes for:

- (a) Regular meeting of October 9, 2001
Approved.

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances:

- (a) ORD. NO. 26594 - Amends Section 20.100.450 of Chapter 20.100 of Title 20 of the San José Municipal Code to clarify the restrictions on hours of construction within 500 feet of a residential unit.
Ordinance No. 26594 adopted.

2 CONSENT CALENDAR

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances:

- (b) ORD. NO. 26595 – Amends Chapter 13.32 of Title 13 of the San José Municipal Code regarding tree removal controls to streamline the tree removal process, including an administrative process for the removal of dead trees, and to include additional definitions to further clarify the provisions of this Chapter.

Ordinance No. 26595 adopted.

2.3 Approval of a concession agreement for automated teller machine services at the Airport.

Recommendation: Approval of a first amendment to the concession agreement with American Express to provide automated teller machine services at Norman Y. Mineta San José International Airport, for a five year term not to extend beyond April 30, 2007, with annual revenue to the City of \$15,600. CEQA: Resolution No. 67380. (Airport)

Approved.

2.4 Approval of various actions related to an Airport Integrated Mapping System.

Recommendation: Adoption of a resolution:

- (a) Authorizing the City Manager to negotiate and execute a first amendment to the agreement with Carter & Burgess Inc. for consultant services to implement the Airport Integrated Mapping System (AIMS) Program for the Norman Y. Mineta San José International Airport, adding additional services necessary to implement the AIMS Program, increasing compensation by \$80,000, from \$80,000 to \$160,000, extending the term from April 30, 2002 to January 31, 2003, and
- (b) Authorizing the City Manager to execute up to three one-year options to extend the term beyond January 31, 2003, for a total amount not to exceed \$610,000, and subject to annual appropriation of funding for the next year's contract expense.

(Airport)

Resolution No. 70909 adopted.

2.5 Approval of various actions related to an Airport Food and Beverage Concession Agreement.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute a third amendment to the Airport Food and Beverage Concession Agreement with Host International (“Host”), Inc., to:

- (a) Reimburse Host for the cost of constructing certain improvements to correct unanticipated structural defects and to bring several of the concession spaces into compliance with the fire requirements of the Uniform Building Code, increasing the already-approved total reimbursement of \$250,000 for concession improvements constructed by Host by \$139,400, for a total not to exceed reimbursement amount of \$389,400; and

This item continued on the next page.

2 CONSENT CALENDAR

2.5 Approval of various actions related to an Airport Food and Beverage Concession Agreement. (Cont'd)

- (b) Add two new concession locations to the agreement, which will serve the upcoming Interim Federal Inspection Service Facility, with expected additional annual revenue to the City of \$60,000; and
- (c) Authorize reimbursement to Host for utility stub-outs and “vanilla shell” construction for the new FIS locations, in an amount not to exceed \$230,000; and
- (d) Temporarily modify the rent structure for one of the new FIS locations by authorizing an initial rent of 8% of gross revenues per month, to increase to 12% of gross revenues once Host’s total gross revenues in Terminal A achieve a threshold of \$11,500,000 in any 12-month period.

CEQA: Resolution No. 67380. (Airport)

Resolution No. 70914 adopted.

Council approved the various actions related to the Airport Food and Beverage Concession Agreement with direction to staff to (1) negotiate an agreement with provisions in the contract for Labor Peace so Council may assess whether it meets the needs of the City and (2) return to Council with the specific recycling program in progress at the Airport and what the program is for the Airport as a whole.

2.6 Approval to renew the software maintenance agreement for the Human Resource/Payroll System.

Recommendation: Adoption of a resolution authorizing the City Manager to:

- (a) Exercise a one year renewal of software maintenance on the City of San José’s Human Resource/Payroll System with PeopleSoft, Inc. for the period of April 17, 2002 through April 16, 2003, for a total cost, including tax, of \$221,666.03; and
 - (b) Exercise up to four one-year options to renew the maintenance agreement, without further Council action other than the appropriation of funding each year.
- (Information Technology)

Resolution No. 70910 adopted.

2.7 Approval to apply for Weed and Seed Program funding for the Washington neighborhood.

Recommendation: Adoption of a resolution authorizing the City Manager to apply to the United States Department of Justice for Weed and Seed Program funding for the Washington neighborhood in an amount not to exceed \$300,000, for the period October 1, 2002 through September 30, 2003, to accept the grant if awarded, and to execute all related documents. Council District 3. SNI: Washington. (Parks, Recreation and Neighborhood Services)

Resolution No. 70911 adopted.

2 CONSENT CALENDAR

2.8 Approval to submit a grant application for a trail segment of the Coyote Creek Trail.

Recommendation: Adoption of a resolution:

- (a) Approving the submittal of a grant application to the Valley Transportation Authority, the administrator of the Clean Air Program Manager Fund for the Bay Area Air Quality Management District, for \$165,000 to partially fund construction of a trail segment of the Coyote Creek Trail from Montague Expressway to Tasman Road; and
- (b) Authorizing the City Manager to negotiate and execute all documents relating to the grant application and funding agreement.

CEQA: Exempt, PP98-01-002. Council District 4. (Parks, Recreation and Neighborhood Services)

Resolution No. 70912 adopted.

2.9 Approval of a Contract Change Order for HVAC construction work at Fire Stations 2, 14, and 16.

Recommendation: Approval of Contract Change Order No. 2 for the Heating, Ventilation & Air Conditioning Fire Stations 2, 14, and 16 with FARR-GIL, Inc., dba, Golden State Builders, for additional construction work in the amount of \$37,144, increasing the amount of the construction contract from \$197,188, to a total of \$234,332. CEQA: Exempt, PP01-07-134. (Public Works)

Approved.

2.10 Approval to award a contract for the Street Lights Crackdown 2002 Project.

Recommendation: Report on bids and award of contract for the Street Lights Crackdown 2002 Project to the low bidder, Pacific Electric Company, in the amount of \$121,941, and approval of a contingency in the amount of \$12,000. CEQA: Exempt, PP01-02-023. SNI: Winchester, University, Five Wounds/Brookwood Terrace, East Valley/680 Communities and Rocksprings/Tully/Senter/Santee/Kennedy. (Public Works)

Approved.

2.11 Approval of Council Member Chavez' travel.

Recommendation: Approval of Council Member Cindy Chavez' prior travel to Portland, Oregon, on February 8, 2002, to meet with transportation representatives and see the transit rail system. Funding: Santa Clara Valley Transportation Agency. (Chavez)

(Rules Committee referral 4/3/02)

Approved.

2 CONSENT CALENDAR

2.12 Approval of an agreement to partially reimburse Airport funded Police Department costs for three explosive detection canine teams.

Recommendation: Adoption of a resolution authorizing the City Manager to negotiate and execute a Cooperative Agreement with the Transportation Security Administration (TSA) to partially reimburse Airport funded Police Department costs for three explosive detection canine teams for a total of \$120,000 per year at the Norman Y. Mineta San José International Airport, for a period of five (5) years from the date of execution. (Airport) (Rules Committee referral 4/3/02)

Resolution No. 70913 adopted.

END OF CONSENT CALENDAR

3 STRATEGIC SUPPORT SERVICES

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

3.2 Report of the Rules Committee – March 27, 2002 Vice Mayor Shirakawa, Jr., Chair

(a) Redevelopment Agency items reported out at Redevelopment Agency meeting
The Redevelopment Agency items to be reported out at Redevelopment Agency Board meeting

(b) City Council

(1) Review April 9, 2002 Draft Agenda

The Committee approved the April 9, 2002 City Council agenda with one deletion.

(2) Add New Items to April 2, 2002 Amended Agenda

The Committee directed the Administration to provide a history of the City's association with WIA, background information and brochures related to the Homeland Security Conference, and recommended the one addition to the April 2, 2002 City Council agenda.

(c) City Council Committees

(1) Amendments to Council Committee Agendas

(a) Finance and Infrastructure Committee

(b) Economic Development and Environment Committee

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

None Filed.

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – March 27, 2002 (Cont'd)

- (d) Meeting Schedules
There were none.
- (e) The Public Record
There was no Public Record filed.
- (f) Boards, Commissions and Committees
There were none.
- (g) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee
There were none.
- (h) Administrative Reviews and Approval
- (1) Proposed work plan for conducting an analysis of alternative scenarios of the Civic Center
The Committee recommended that the Council direct the Administration to Proceed with an analysis of the Civic Center alternative scenarios, based on:
- **The Criteria identified in Mayor Ron Gonzales' memo, co-signed by Council Members City Chavez and David Cortese, submitted at the March 13, 2002 Rules Committee meeting; and**
 - **The timeline and parameters included in the work plan proposed in this memo, which proposes that the analysis be presented for the Council's review at its May 7, 2002 meeting.**
- (2) Approve letter to congressional delegation regarding impact of the "Aviation & Transportation & Security Act" on airport security screeners
The Committee: (1) recommended approval of the draft letter to the City's Congressional delegation concerning the impacts of the "Aviation and Transportation and Security Act" on the airport security screeners at the Norman Y. Mineta San Jose International Airport, indicating the letter should come from the Mayor on behalf of the entire Council; and (2) accepted the staff report on HR 3959 (Lofgren, Honda), "Military Standards for Airport Security Screeners Act."

3 STRATEGIC SUPPORT SERVICES

3.2 Report of the Rules Committee – March 27, 2002 (Cont'd)

- (i) Oral communications
Ross Signorino commented on the cost of the new Civic Center, reevaluating Parking Lot E as a potential City Hall site, and the cost of renovating and adding on to the present City Hall. Pete Campbell stated that last week he had requested a letter be placed on the Public Record and noted his request had not been honored.
- (j) Adjournment
The meeting adjourned at 2:40 P.M.

The Rules Committee report and action of March 27, 2002 were accepted with the correction to add the Committee action on Item 3.2(h) (2) to the Committee Report, inadvertently omitted.

3.3 Report of the Finance and Infrastructure Committee – March 27, 2002 Council Member Dando, Chair

- (a) Consent Items
 - (1) Monthly Investment Report for January 2002
The Committee approved the Consent Items.
- (b) Sales and Business Tax for Quarter ending December 31, 2001
The Committee accepted the staff report.
- (c) February Monthly Report
The Committee accepted the staff report.
- (d) Audit of the San José Arena Management Corporation's Compliance with the San José Arena Management Agreement
The Committee accepted the staff report.
- (e) Monthly Financial Statement for January 2002
- (f) Capital Cost Report for January 2002
- (g) Cash Flow Projection
The Redevelopment Agency items to be reported out at Redevelopment Agency Board meeting
- (h) Oral petitions
Ross Signorino spoke on business license requirement in the City of San Jose.
- (i) Adjournment
The Committee was adjourned at 3:20 P.M.

3 STRATEGIC SUPPORT SERVICES

3.4 Approval of an agreement for the state-mandated Job Training Automation System.

Recommendation: Approval of a first amendment to the agreement between the City of San José and California Municipal Technologies, Inc. for continued development, customization, and support of the state-mandated Job Training Automation System, increasing compensation by \$400,000, from \$50,000 to \$450,000. (Economic Development)

This Item was dropped.

3.5 Approval of agreements to provide additional case management and training services to laid-off workers.

Recommendation:

(a) Approval of a first amendment to the agreement between the City of San José and the Center For Employment & Training, Inc. to provide additional case management and training services to laid-off workers, increasing compensation by \$1,000,000, from \$50,000 to \$1,050,000. (Economic Development)

This Item was dropped.

(b) Approval of a first amendment to the agreement between the City of San José and the Center For Training & Careers, Inc. to provide additional case management and training services to laid-off workers, increasing compensation by \$1,004,000, from \$75,000 to \$1,079,000. (Economic Development)

This Item was dropped.

(c) Approval of a first amendment to the agreement between the City of San José and the Institute For Business Performance - San Jose Evergreen Community College District to provide additional case management and training services to laid-off workers, increasing compensation by \$1,977,852.32, from \$968,434 to \$2,946,286.32. (Economic Development)

This Item was deferred to April 16, 2002.

(d) Approval of a first amendment to the agreement between the City of San José and the Occupational Training Institute - Foothill De Anza Community College District to provide additional case management and training services to laid-off workers, increasing compensation by \$600,334, from \$676,224 to \$1,276,558. (Economic Development)

This Item was deferred to April 16, 2002.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

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

No Report.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.2 Approval to award a contract for the Nightingale/Redbird Storm Drain Improvement Project.

Recommendation: Report on bids and award of contract for the Nightingale/Redbird Storm Drain Improvement Project to the low bidder, Sanco Pipelines, Inc., in the amount of \$1,222,605, and approval of a contingency in the amount of \$120,000. CEQA: Negative Declaration, PP01-04-071. Council District 6. (Public Works)

Approved with direction to staff to return to Council regarding the insufficient funding in the Storm Drainage Capital Improvement Program (CIP) for the second phase of construction.

4.3 Public Hearing and approval of various actions related to the Hacienda Villa Creek Senior Apartments.

Recommendation:

- (a) Hold a Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for the issuance of up to \$8,000,000 in tax-exempt multifamily housing revenue bonds for the Hacienda Villa Creek Senior Apartments (“Project”) consisting of up to 92 units, affordable to very-low income senior households, on a 2.02 acre site located at the northerly termini of East Court and West Court, north of East Julian Street.
- (b) Adoption of resolutions:
 - (1) Approving a funding commitment for a construction and permanent loan of up to \$4,286,522 during the construction phase, and up to \$3,197,499 during the permanent phase, to Roem Development Corporation, or an affiliated entity (“Developer”), for the development of the Hacienda Villa Creek Apartments affordable to very-low income senior households on a 2.02 acre site located at the northerly termini of East Court and West Court, north of East Julian Street.
 - (2)
 - (a) Expressing its intent to issue up to \$8,000,000 in tax-exempt multifamily housing revenue bonds to finance the construction of the development.
 - (b) Authorizing the Director of Housing to file an application with California Debt Allocation Committee (CDLAC) for an allocation of up to \$8,000,000 in private activity bonds for the Project.
 - (c) Authorizing the Director of Housing to negotiate and execute a Deposit and Escrow Agreement with Roem Development Corporation, or an affiliated entity, for the CDLAC application for the Hacienda Villa Creek Apartments Development.

Council District 3. SNI: Five Wounds/Brookwood Terrace. (Housing/Finance)

(Continued from 4/2/02 – Item 4.5)

Continued to April 16, 2002.

4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT

4.4 Public Hearing on planned development rezoning at East and West Courts.

Recommendation: PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the terminus of East and West Courts, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow 92 multi-family attached senior housing units on 2.02 gross acres. (ROEM Development, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement and Planning Commission recommend approval (6-0-1) with the following conditions:

- (a) A supplementary shuttle service for residents who do not drive.
- (b) Emergency vehicle access easement through the project parking lot to allow a connection between East Court and West Court.
- (c) The construction of a cul-de-sac bulb at the northerly terminus of West Court.
- (d) Pedestrian access easement through the site to provide a connection to the future Lower Silver Creek Trail.

PDCSH 01-10-097 - District 3

(Continued from 4/2/02 – Item 11.4)

Ordinance No. 26602 passed for publication.

Council approved the planned development rezoning with the additions contained in Council Member Chavez' memorandum of April 9, 2002.

5 RECREATION & CULTURAL SERVICES

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

6 TRANSPORTATION SERVICES

6.1 Approval to award a contract for the Traffic Signal Unit 01A Project.

Recommendation: Report on bids and award of contract for the Traffic Signal Unit 01A Project to the low bidder, Prism Engineering, Inc., in the amount of \$747,532.81, and approval of a contingency in the amount of \$112,000, including improvements at Concourse Drive and Lundy Avenue, Galahad Avenue and Story Road, Julian Street and Nineteenth Street, and San Pedro Street and Santa Clara Street. CEQA: Exempt, PP00-10-155, PP01-11-193. Council Districts 3, 4, and 5. SNI: East Valley/680 Communities, 13th Street, St. James Square. (Public Works)

Approved.

6 TRANSPORTATION SERVICES

6.2 Approval of recommended pedestrian and bicycle projects to be submitted to the Valley Transportation Authority.

Recommendation: Adoption of a resolution:

- (a) Approving a list of recommended pedestrian and bicycle projects to be submitted to the Valley Transportation Authority for FY 2002-03 under the State Transportation Development Act, Article 3 grant funding program in the amount of \$564,835.
- (b) Authorizing the City Manager to negotiate and execute the necessary grant funding agreements.

CEQA: Exempt, PP02-01-011. (Transportation)

Resolution No. 70915 adopted.

Council approved the recommendation with additional direction to staff to (1) put the Candidate Optional Projects ahead of projects on the list for review in 2003, (2) attempt to evenly disburse the grant opportunities by Council district through out the city, (3) send an information memo to Council providing the current inventory of projects, and information on the various grant programs that fund bicycle and transportation facilities along with the eligibility criteria, the time lines and (4) provide a list of possible projects to Council six months prior to the year 2003 grants.

6.3 Approval of actions related to public education and awareness for the Traffic Calming Program.

Recommendation: Adoption of a resolution:

- (a) Accepting staff's report responding to Council's questions from the February 12, 2002 City Council meeting seeking additional information on the Traffic Calming public education and awareness campaign; and
- (b) Authorizing the City Manager to negotiate and execute an agreement with Liquid Agency, Inc. to:
 - (1) Develop and assist in implementing public education and awareness services from the date of execution to May 15, 2003, as part of the City's Traffic Calming Program, in an amount not to exceed \$316,000; and
 - (2) Provide media purchasing for public education and awareness services from the date of execution to May 15, 2003, as part of the City's Traffic Calming Program, in an amount not to exceed \$529,394.

CEQA: Exempt. (Transportation)

(Deferred from 4/2/02 – Item 6.1)

Resolution No. 70916 adopted.

7 ENVIRONMENTAL & UTILITY SERVICES

8 AVIATION SERVICES

8.1 Approval of a Second Amended and Restated Newsstand and General Merchandise Agreement and Lease for the Airport.

Recommendation: Adoption of a resolution authorizing the City Manager to:

- (a) Negotiate and execute a Second Amended and Restated Newsstand and General Merchandise Agreement and Lease between the City of San José and DFS Group L.P., continuing and extending the term of the Agreement from November 1, 2000 to October 31, 2007, with minimum annual guaranteed concession revenues to the City of \$1,200,000, and making certain adjustments to the concession fee and operational provisions of the Agreement; and
- (b) Exercise up to three one-year options to extend the term of the Concession Agreement on the same terms and conditions to October 31, 2010.

CEQA: Resolution No. 67380. (Airport)

Resolution No. 70917 adopted. Noes: Reed

Council approved a Second Amendment to the agreement, (Item 8.1(a)) with the inclusion of Labor Peace and requested the agreement come back to Council with further exploration of the opportunity for opting out if in the first 5 years the airport needs that flexibility in the last year of the agreement.

9 PUBLIC SAFETY SERVICES

10 JOINT COUNCIL/REDEVELOPMENT AGENCY

- Closed Session Report
- Notice of City Engineer's Pending Decision on Final Maps
In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's pending decision on the following Final Maps:
None.

In accordance with Sec. 19.16.140d of the San Jose Municipal Code, this is notice of the City Engineer's receipt of the following Final Maps for review:
None.

- **Open Forum**
Elza Theodule spoke regarding various societal issues.
- **Adjournment**
The Council of the City of San Jose adjourned at 4:10 P.M. in memory of Jacinto S. Siquig, long-time Filipino community leader.

JOINT REDEVELOPMENT AGENCY/COUNCIL

REDEVELOPMENT AGENCY BOARD CONVENED AT 4:11 P.M. TO CONSIDER ITEM 7.1 IN A JOINT SESSION.

- 7.1 City Council and Agency Board actions related to approval of a Disposition and Development Agreement for a historic house at 394 North Fourth Street and making certain findings.**

Recommendation:

- (a) Adoption of a resolution by the City Council approving the disposition of property located at 394 North Fourth Street to Spartan Shops, accepting the 33433 Summary Report, and making certain findings; and,
Resolution No. 70918 adopted.
- (b) Adoption of a resolution by the Agency Board approving the Disposition and Development Agreement (DDA) with Spartan Shops for the property located at 394 North Fourth Street, and authorizing the Executive Director to execute ancillary documents contemplated by the DDA and to close escrows and dispose of the property described in the DDA, subject to compliance with terms of the DDA.

CEQA: Resolution No. 68905 (**CIVIC PLAZA**) (Continued from March 26, 2002 and April 2, Item 7.1).

Redevelopment Agency Board Resolution No. 5268 adopted.

REDEVELOPMENT AGENCY BOARD MEETING WAS ADJOURNED AT 4:15 P.M.