

# **CITY COUNCIL AGENDA**

## **DECEMBER 9, 2003**

# **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  
TERRY O. GREGORY  
DAVID D. CORTESE  
JUDY CHIRCO  
PAT DANDO, VICE MAYOR

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.**

Agendas and Staff Reports for City Council items may be viewed on the Internet at [www.sanjoseca.gov/clerk/agenda.htm](http://www.sanjoseca.gov/clerk/agenda.htm)

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: Campos, Cortese; Gonzales. (Excused)**  
  
1:34 p.m. - Regular Session, Council Chambers, City Hall  
**Absent Council Members: Campos, Cortese, Dando; Gonzales. (Excused)**
  
- **Invocation (Mayor)**  
**Pastor Oscar Dace, Bibleway Christian Center recited a scripture of prayer, faith, giving, and clarity of thought.**
  
- **Pledge of Allegiance**  
**Mayor Pro Tempore Chavez led the Pledge of Allegiance.**
  
- **Orders of the Day**  
**The Orders of the Day and the Amended Agenda were approved.**

## **1 CEREMONIAL ITEMS**

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- 1.1** Presentation of a commendation to Dave McPherson, of the City Auditor's Office, for receiving the Bruno Marchetti Award. (Reed)  
(Deferred from 12/2/03 – Item 1.3)  
**Mayor Pro Tempore Chavez was joined at the podium by Council Member Reed to recognize David McPherson of the City Auditor's Office, for receiving the Bruno Marchetti Award. Council Member Reed introduced City Auditor Gerald Silva, who stated that Mr. McPherson has been a member of the City Auditor's Office for over 6 years, and stated this is a special recognition lifetime achievement and statewide award. Mr. McPherson has been very active in Sacramento dealing with legislative issues that protects the City of San José's revenue base. Mayor Pro Tempore Chavez presented the award to Mr. McPherson, who accepted it with gratitude.**

## 2 CONSENT CALENDAR

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### 2.1 Approval of Minutes.

There were none.

### 2.2 Final adoption of ordinances.

**Recommendation:** Final adoption of ordinances:

- (a) ORD. NO. 27025 – Amends Title 17 of the San José Municipal Code by adding a new Chapter 17.82 relating to fire safety during construction.

**Ordinance No. 27025 adopted.**

- (b) ORD. NO. 27029 – Rezones certain real property situated at the southeasterly corner of Monterey Highway and Edenvue Drive to A(PD) Planned Development Zoning District. PDC 03-069

**Ordinance No. 27029 adopted.**

- (c) ORD. NO. 27032 – Rezones certain real property situated at the southeast corner of Blossom Hill and Cottle Roads to IP(PD) Planned Development Zoning District. PDC 02-086

**Item 2.2(c) was deferred to 12/16/03.**

### 2.3 Approval to award a contract for the Plaza de Cesar Chavez Electrical Upgrades Project.

**Recommendation:** Approval to reject all bids for the Plaza de Cesar Chavez Electrical Upgrades Project and authorization for the Director of Public Works to re-advertise and re-bid the project. CEQA: Exempt, PP03-06-202. Council District 3. (Public Works/Parks, Recreation and Neighborhood Services)

(Deferred from 11/18/03 – Item 2.20 and 11/25/03 – Item 2.13)

**Approved.**

### 2.4 Approval to award a contract for the Noble Park Play Area Renovation Project.

**Recommendation:** Report on bids and take appropriate action based on the evaluation of bids for the Noble Park Play Area Renovation Project, and approval of a five percent contingency. CEQA: Exempt, PP03-09-284. Council District 4. (Public Works/Parks, Recreation and Neighborhood Services)

(Deferred from 11/25/03 – Item 2.11)

**Deferred to 12/16/03.**

### 2.5 Approval to lease space for the Airport.

**Recommendation:** Approval of a fifth amendment to lease space with the USO of Northern California, Inc. to relocate the leased premises and to extend the term from June 30, 2005 through June 30, 2008, with no change to the rental rate of \$1.00 per year.

CEQA: Resolutions Nos. 67380 and 71451, PP03-07-231. (Airport)

**Approved.**

## 2 CONSENT CALENDAR

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### 2.6 Approval of a legal services agreement.

**Recommendation:** Approval of the seventh amendment to the legal services agreement with Ogden, Gibson, White, and Broocks to increase compensation by \$50,000, for a total not to exceed \$735,000. CEQA: Not a Project. (Board of Administration for the Police & Fire Department Retirement Plan)

**Approved.**

### 2.7 Approval of two Employee Suggestion awards.

**Recommendation:** Approval of two Employee Suggestion awards in the total amount of \$12,884.84. (City Manager's Office)

**Approved.**

### 2.8 Approval of re-appointment to the Board of Directors of the Silicon Valley Pollution Prevention Center.

**Recommendation:** Approval of the re-appointment of City of San José Council Member Linda J. LeZotte to the Board of Directors of the Silicon Valley Pollution Prevention Center as the Government Representative for a term from January 1, 2004 through December 31, 2006. CEQA: Not a Project. (Environmental Services)

**Approved.**

### 2.9 Approval to negotiate and execute the Reuse and Recycling Agreements.

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute the Reuse and Recycling Agreements with the following non-profit organizations through June 30, 2004.

- (a) Goodwill Industries of Santa Clara County in an amount not to exceed \$400,000.
- (b) The Salvation Army in an amount not to exceed \$140,000.
- (c) St. Vincent de Paul Society in an amount not to exceed \$26,000.
- (d) Hope Services in an amount not to exceed \$20,000.

CEQA: Not a Project. (Environmental Services)

**Resolution No. 71861 adopted. Disqualified: LeZotte.**

## 2 CONSENT CALENDAR

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### 2.10 Approval to purchase portable radios and Mobile Vehicle Adapters.

**Recommendation:**

- (a) Approval to award a sole source purchase of 64 Motorola MT2000 portable radios and 73 Motorola Mobile Vehicle Adapters (MVAs) to Motorola C & E, Inc., in the amount of \$113,264.78, including sales tax and delivery, and authorization for the Director of General Services to execute the purchase order. CEQA: Not a Project. (General Services)
- (b) Approval to award a sole source purchase of 66 XTS3000 portable radios to Motorola C & E, Inc., for a total amount of \$125,463.34, including tax and delivery, and authorization for the Director of General Services to execute the purchase order. CEQA: Not a Project. (General Services)

**Approved.**

### 2.11 Approval of various actions related to the 2003-2004 Weed Abatement Report (2003-04 Hazardous Vegetation Commencement Report).

**Recommendation:** Adoption of a resolution:

- (a) Accepting the 2003-2004 Hazardous Vegetation Commencement Report compiled by the Office of the Santa Clara County Fire Marshal; and
- (b) Declaring that those certain noxious or dangerous seasonal and recurrent weeds, growing or likely to be growing, and refuse, situated or likely to be situated, on those properties identified in the report are a nuisance; and
- (c) Directing the Office of the Santa Clara County Fire Marshal to mail notices of a public hearing before the City Council, on January 20, 2004 at 1:30 p.m., to allow property owners of affected real properties to object to inclusion in the Hazardous Vegetation Management Program and proposed removal of weeds and refuse from their properties.

CEQA: Not a Project. (Planning, Building and Code Enforcement)

**Resolution No. 71862 adopted.**

### 2.12 Approval of an ordinance amending the San José Municipal Code to provide for a Historic Preservation Permit Amendment and Historic Preservation Permit Adjustment.

**Recommendation:** Approval of an ordinance amending Part 3 of Chapter 13.48 of Title 13 of the San José Municipal Code to provide for a Historic Preservation Permit Amendment and Historic Preservation Permit Adjustment. CEQA: Exempt, PP03-11-362. (Planning, Building and Code Enforcement)

**Ordinance No. 27033 passed for publication.**

## 2 CONSENT CALENDAR

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### 2.13 Approval to award a contract for the Airport's North Concourse Site Facility Relocations Project.

**Recommendation:** Report on bids and award of contract for the Norman Y. Mineta San José International Airport North Concourse Site Facility Relocation Project to the low bidder, Hinds/Lowery-JV in the amount of \$188,000, and approval of a contingency in the amount of \$28,200. CEQA: Resolution Nos. 67380 and 71451, PP03-10-330. (Public Works/Airport)

**Approved.**

### 2.14 Approval of vacation located on the northeasterly side of Country Club Parkway

**Recommendation:** Adoption of a resolution summarily vacating a portion of the 15-foot wide Regional Trail Easement lying within Lot 90, Tract 8715 and Lot 128, Tract 8468 located on the northeasterly side of Country Club Parkway, between Assisi Court and Glen Eagles Drive. CEQA: Silver Creek Valley Country Club EIR, adopted October 4, 2003, Resolution No. 61784, PDC91-065. Council District 8. (Public Works)

**Deferred to 12/16/03.**

### 2.15 Approval of vacation located on the southeast corner of Evans Lane and Highway 87.

**Recommendation:** Adoption of a resolution summarily vacating the entire 30 foot wide Ingress and Egress Easement and the Public Service and Utility Easement (PSUE) lying within the parcels located at the southeast corner of Evans Lane and Highway 87, also known as 1848 Evans Lane. CEQA: Mitigated Negative Declaration, PDC02-068. Council District 6. (Public Works)

**Resolution No. 71863 adopted.**

### 2.16 Approval of an appointment to the Downtown Parking Board.

**Recommendation:** Approval of an appointment to the Downtown Parking Board. (Mayor)  
(Rules Committee referral 12/3/03)

**Approved.**

### 2.17 Approval to submit a grant application for the Tully-Senter School Hub Project.

**Recommendation:** Adoption of a resolution authorizing the City Manager to submit a grant application to the Murray-Hayden Urban Parks and Youth Service Program in the amount of \$2.5 million for the Tully-Senter School Hub Project, to accept the grant if awarded, and execute all related documents. CEQA: Exempt, PP03-12-370. Council District 7. (Parks, Recreation and Neighborhood Services)

(Rules Committee referral 12/3/03)

**Resolution No. 71864 adopted.**

### 3 STRATEGIC SUPPORT SERVICES

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#### 3.1 Report of the Study Session

Mayor Gonzales, Chair

No Report.

#### 3.2 Report of Rules in Lieu – November 26, 2003

Vice Mayor Dando, Chair

- (a) Redevelopment Agency items reported out at Redevelopment Agency meeting
- (b) City Council
  - (1) Review December 9, 2003 Draft Agenda  
**Action was taken to recommend approval of December 9, 2003 City Council Agenda.**
    - a. **Additions/Changes**  
**City Council approval of an ordinance for the transfer of certain Agency functions to the City of San José.**
  - (2) Add New Items to December 2, 2003 Amended Agenda
    - Mayor and Council Member Requests
    - City Manager Requests
    - City Attorney Requests
    - City Clerk Requests**Action was taken to recommend the following addition to the December 2, 2003 City Council Agenda:**
    - a. **Resolution to authorize submission of Historical Heritage Grant application to the County of Santa Clara to move St. James Park's historic monuments per the Master Plan. (Chavez)**
    - b. **Accept the City Auditor's Monthly Report. (City Auditor)**
    - c. **During the evening session, to be heard concurrently with Item 12.2(b); Adopt a resolution by the Redevelopment Agency Board approving a Development Agreement with eBay, Inc. (City Manager)**
  - (3) List of Reports Outstanding  
**The Committee noted and filed the City Manager's Report.**
- (c) Legislative Update
  - (1) State  
**There was no report.**
  - (2) Federal  
**There was no report.**

### **3 STRATEGIC SUPPORT SERVICES**

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#### **3.2 Report of Rules in Lieu – November 26, 2003 (Cont'd.) Vice Mayor Dando, Chair**

- (d) Meeting Schedules  
**There were none.**
- (e) The Public Record  
**There was no Public Record.**
- (f) Appointment to Boards, Commissions and Committees  
**There were none.**
- (g) Council Referrals for Assignment to Administration or Council Appointee.  
**There were none.**
- (h) Administrative Reviews, and Approvals  
**There were none.**
- (i) Oral communications  
**None were presented.**
- (j) Adjournment  
**The Meeting was adjourned at 11:15 a.m.**

**The Rules in Lieu Committee Report, and the Actions of November 26, 2003, were accepted.**

#### **3.3 Report of the Making Government Work Better Committee Council Member Campos, Chair No Report.**

#### **3.4 Acceptance of annual reports issued by Citizen Oversight Committees regarding Bond Funded Programs.**

**Recommendation:**

- (a) Annual Status Report on Neighborhood Library Bond Program.
  - (b) Annual Financial Report on Public Safety Bond Program.
  - (c) Annual 2002-03 Annual Report of the Safe Parks and Recreation Bond Program.  
(Citizen Oversight Committees)
- The Reports were Accepted.**

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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**4.1 Report of the Building Strong Neighborhoods Committee  
Council Member Chavez, Chair  
No Report.**

**4.2 Report of the Driving a Strong Economy Committee – November 24, 2003  
Council Member Williams, Chair**

- (a) Discussion on the Small Business Policies/Programs  
**The Committee accepted the Staff Report.**
- (b) Proposed amendments to the Sign Code to reduce and simplify sign regulations in industrial and commercial zones  
**See Item 4.4 for Council Action to be taken.  
The Committee accepted the Staff Report.**
- (c) Oral petitions  
**There were none.**
- (d) Adjournment  
**The Meeting was adjourned at 2:40 p.m.**

**The Driving a Strong Economy Committee Report, and the Actions of November 24, 2003, were accepted.**

**4.3 Approval of an ordinance transferring certain Agency functions to the City of San José.**

**Recommendation:**

- (a) (1) Approval of an ordinance repealing Ordinance No. 23523 which will transfer the Executive Director of the Redevelopment Agency's development permitting authority to the Director of the City of San Jose's Department of Planning, Building and Code Enforcement; and,  
(2) Adoption of a resolution by the City Council amending the 2003-04 Schedule of Fees and Charges by repealing Section 3A of that resolution relating to Redevelopment Agency development permitting fees.
- (b) Adoption of a resolution by the Redevelopment Agency Board acknowledging the transfer of the Executive Director's permitting authority to the Director of Planning, Building, and Code Enforcement.

(City Attorney's Office)

**Item 4.3 renumbered to Item 10.2.**

## **4 ECONOMIC & NEIGHBORHOOD DEVELOPMENT**

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### **4.4 Approval of an ordinance amending the Sign Code in industrial and commercial zones.**

**Recommendation:** Approval of an ordinance amending Title 23 of the San José Municipal Code to reduce and simplify sign regulations in industrial and commercial zones. CEQA: Exempt, PP03-11-357. (Planning, Building and Code Enforcement)  
[Driving a Strong Economy Committee referral 11/24/03 – Item 4.2(b)]

**Ordinance No. 27034 passed for publication with Item 1, Free-Standing Signs, to eliminate the reference to 85 feet, and Staff to report back to Driving a Strong Economy Committee within 9 months regarding the need for this regulation.**

## **5 RECREATION & CULTURAL SERVICES**

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### **5.1 Report of the All Children Achieve Committee Council Member Yeager, Chair No Report.**

## **6 TRANSPORTATION SERVICES**

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### **6.1 Report of the Building Better Transportation Committee Council Member Cortese, Chair No Report.**

## **7 ENVIRONMENTAL & UTILITY SERVICES**

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### **7.1 Approval to award a contract for the Monterey-Riverside Sanitary Sewer Rehabilitation Project (Phase III).**

**Recommendation:** Report on bids and award of contract for the Monterey-Riverside Sanitary Sewer Rehabilitation Phase III Project (Rebid) to the low bidder, Gelco Services, Inc. in the amount of \$1,289,329, and approval of a contingency in the amount of \$128,900. CEQA: Exempt, PP01-08-138. (Public Works)

**Approved.**

## 8 AVIATION SERVICES

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## 9 PUBLIC SAFETY SERVICES

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### 9.1 Approval to purchase Data Computers.

**Recommendation:** Approval of an award to purchase an additional quantity of 85 Mobile Data Computers (MDCs) with color touch screen display, keyboard and wireless network card to Data911 Mobile Data Systems (“Data911”) of Alameda, CA, for a total cost of \$457,814 including sales tax, and authorization for the Director of General Services to execute the purchase order. CEQA: Not a Project. (General Services)

**Approved.**

### 9.2 Approval of an agreement for the new Police Department Southside Substation Project.

**Recommendation:** Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with Michael Ross-Charles Drulis Architects and Planners, Inc., d.b.a. RossDrulisCusenbery Architecture, Inc., for consultant services including program verification and conceptual design services for the new Police Department Southside Substation Project, from the date of execution to March 29, 2004, in the amount of \$162,405. CEQA: Not a Project. (Public Works/Police)

**Resolution No. 71865 adopted.**

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

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**The Redevelopment Agency Board convened at 2:24 p.m. to consider items 10.1 and 10.2 in a Joint Session.**

### **10.1 Acceptance of the quarterly CIP and SNI status reports.**

**Recommendation:** Acceptance of the quarterly report on the Citywide Capital Improvement Program (CIP) including park, library, and public safety bond projects and Strong Neighborhoods Initiative (SNI) Projects. CEQA: Not a Project. (City Manager's Office/Redevelopment Agency)

**The Reports were Accepted.**

### **10.2 Approval of an ordinance transferring certain Agency functions to the City of San José.**

**Recommendation:**

- (a) (1) Approval of an ordinance repealing Ordinance No. 23523 which will transfer the Executive Director of the Redevelopment Agency's development permitting authority to the Director of the City of San Jose's Department of Planning, Building and Code Enforcement; and,  
**Ordinance No. 27035 passed for publication.**
- (2) Adoption of a resolution by the City Council amending the 2003-04 Schedule of Fees and Charges by repealing Section 3A of that resolution relating to Redevelopment Agency development permitting fees.  
**Resolution No. 71866 adopted.**
- (b) Adoption of a resolution by the Redevelopment Agency Board acknowledging the transfer of the Executive Director's permitting authority to the Director of Planning, Building, and Code Enforcement.  
(City Attorney's Office)

**Renumbered from Item 4.3.**

**Redevelopment Agency Resolution adopted.**

**The City Manager, and Redevelopment Agency Interim Director directed to report back in January 2004 regarding how the staffing will be implemented between the two entities.**

**The Redevelopment Agency Board portion of the Meeting adjourned at 2:43 p.m.**

- **Closed Session Report**

**City Attorney Doyle disclosed the following Closed Session action(s) of December 9, 2003:**

- A. Authority to Enter Litigation Case as *Amicus Curiae*:**

**Case Name: City of Los Angeles, et al. v. State Water Resources Control Board, et al.**

**Adverse Party or parties: State Water Resources Control Board**

**Substance of Litigation:**     **The City agreed to join an *amicus curiae* brief supporting the City of Los Angeles in a Supreme Court review of an appellate decision upholding wastewater discharge permits issued to the cities, and finding that the permit decisions did not need to take into account economic costs and environmental effects of implementing the permit requirements.**

**Council Vote: Ayes:**           **Cindy Chavez, Judy Chirco, Pat Dando, Terry Gregory, Linda LeZotte, Chuck Reed, Forrest Williams, Ken Yeager.**

**Noes:**                   **None.**

**Disqualified:**       **None.**

**Absent:**               **Nora Campos, David Cortese; Ron Gonzales.**

- **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**

**None.**

- **Adjournment**

**The Council of the City of San José adjourned at 2:44 p.m.**

## **7 JOINT REDEVELOPMENT AGENCY/COUNCIL**

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**The Council of the City of San José convened at 2:50 p.m. to hear Item 7.1, and 7.2 in a Joint Session with the Redevelopment Agency.**

### **7.1 Approval of a DDA with Green Valley Corporation for the development of 150 housing units and restoration of the historic First Church of Christ Scientist Building and accepting the 33433 Summary Report and Re-Use Appraisal.**

#### **Recommendations:**

- (a) Adoption of resolutions by the City Council and Redevelopment Agency approving the disposition of real property (APN 467-01-118) to Green Valley Corporation, accepting the 33433 Summary Report and Re-use Appraisal, and finding that the disposition of the property will assist in the elimination of blight, is consistent with the Implementation Plan for the Century Center Redevelopment Project Area and that the consideration for the property is not less than the fair reuse value for the proposed use, with the covenants and conditions authorized by the Disposition and Development Agreement (DDA);

**Resolution No. 71867 adopted.**

- (b) The Redevelopment Agency adopt a resolution approving a DDA with Green Valley Corporation for the development of 150 housing units and restoration of the historic First Church of Christ Scientist Building, authorizing the Executive Director to execute ancillary documents contemplated by the DDA, to close escrow and convey the Property subject to compliance with the terms of the DDA, and to negotiate and execute amendments to the DDA substantially in conformance with the intent of the DDA as reasonably necessary to conform to lender requirements; and

**Redevelopment Agency Resolution adopted.**

- (c) The Redevelopment Agency adopt a resolution approving additional revenue of \$1,350,000 to the Adopted FY 2004-2005 Revenue Budget, and amending the FY 2004-2005 Agency appropriations resolution as detailed on Attachment A.

CEQA: Resolution No. 71039.1 [CENTURY CENTER]

**Item 7.1(c) was dropped, to come back next year as part of the 2004 budget.**

**Staff directed to make a good faith effort to properly examine the use and opportunity for Letcher's Garage, as work progresses with Barry Swenson Builders, and determine the liability in regard to the theatre use of the First Church of Christ Scientist Building.**

## **7 JOINT REDEVELOPMENT AGENCY/COUNCIL**

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### **7.2 Approval of the Annual Report of Financial Transactions of Community Redevelopment Agencies, FY 2002-2003.**

**Recommendation.** Adoption of resolutions by the City Council and Agency Board approving the Annual Report of Financial Transactions of Community Redevelopment Agencies, Fiscal Year 2002-2003, and directing Staff to forward the report to the State of California Controller. **[MERGED]**

**Resolution No. 71868 adopted.**

### **ADJOURNMENT**

**The Council of the City of San José and Redevelopment Agency Board adjourned at 3:05 p.m.**