

**MINUTES OF THE JOINT CITY COUNCIL
DIRIDON DEVELOPMENT AUTHORITY**

SAN JOSE, CALIFORNIA

TUESDAY, JUNE 19, 2012

The Council of the City of San José convened in Regular Session at 1:58 p.m. in the Council Chambers at City Hall.

Present: Council Members - Campos, Chu, Constant, Herrera, Kalra, Liccardo, Nguyen, Oliverio, Pyle, Rocha, Reed.

Absent: Council Members - All Present.

2. It is recommended that the San José City Council and the San José Diridon Development Authority Board take the following actions:

- (a) Conduct a public hearing by the City Council for the expansion and renewal of a Property Based Improvement District (PBID) in Downtown San José and authorize the City Clerk to tabulate the ballots.**
- (b) Adopt a resolution by the City Council authorizing the execution of a ballot in favor of the expansion and renewal of the Downtown San José PBID as the property owner of real property parcels within the proposed PBID and the imposition of an assessment in the amount of \$396,000 with annual increases of up to five percent over the next nine years.**
- (c) Adopt a resolution by the Diridon Development Authority authorizing the execution of a ballot in favor of the expansion and renewal of the Downtown San José PBID as the property owners of real property parcels within the proposed PBID and the imposition of an assessment in the amount of \$4,000 with annual increases of up to five percent per year over the next nine years.**
- (d) Direct the City Clerk to report the results of the tabulation of ballots.**
- (e) If the PBID is approved by a majority of weighted assessments of property owners, adopt a resolution by the City Council:
 - (1) Approving the Downtown San José PBID Management Plan and Engineer's Report.**
 - (2) Approving and imposing the respective assessments.****

CEQA: Exempt, File No. PP12-053. Council District 3. (Transportation/Public Works)

2. (Cont'd.)

Documents Filed: (1) Memorandum from Director of Transportation Hans Larsen and Director of Public Works David Sykes, dated May 29, 2012, recommending conducting a public hearing and adoption of resolutions. (2) Proof of Publication of Notice of Public Hearing, executed on May 3, 2012, submitted by the City Clerk. (3) Official Ballot Results dated June 19, 2012 stating 91.4% voted in favor of the establishment of the Downtown San José PBID.

Mayor Reed opened the public hearing.

Action: Upon motion by Council Member Liccardo, seconded by Council Member Herrera and carried unanimously, Resolution No. 76357, entitled: “A Resolution of the Council of the City of San José Authorizing the Execution of a Ballot in Favor of the Expansion and Renewal of the Downtown San José Property Business Improvement District as the Property Owner of Real Property Within the Proposed District and the Imposition of an Assessment on City-Owned Property in the Total Amount of \$400,000, With Annual Increases Over the Next Nine (9) Years of Up to Five Percent (5%) Per Year” and San José Diridon Development Resolution No. 109.1, entitled: “A Resolution of the San José Diridon Development Authority Authorizing the Execution of a Ballot in Favor of the Expansion and Renewal of the Downtown San José Property and Business Improvement District as the Property Owner of Real Property in the Proposed District and the Imposition of an Assessment on Authority-Owned Property in the Total Amount of \$20,000, With Annual Increases Over the Next Nine (9) Years of Up to Five Percent (5%) Per Year”, were adopted. (11-0)

City Clerk Dennis Hawkins closed the ballot process and the ballots were tabulated.

After a brief recess, City Clerk Dennis Hawkins announced that 91.4% voted in favor of the establishment of the Downtown San José Property Based Improvement District (PBID) and the City Council may proceed.

Public Comments: Scott Knies, San José Downtown Association, spoke in support to the Staff recommendations.

Mayor Reed closed the public hearing.

Action: Upon motion by Council Member Liccardo, seconded by Council Member Constant and carried unanimously, Resolution No. 76358, entitled: “A Resolution of the Council of the City of San José Approving the Downtown San José Property and Business Improvement District Management Plan and Engineer’s Report and Approving and Imposing the Respective Assessment”, was adopted. (11-0)

3. **It is recommended that the San José Diridon Authority adopt a resolution authorizing the Executive Director, or her designee, to execute, on an emergency basis during the San José Diridon Development Authority Board recesses, all contracts, contract amendments and other agreements or documents as necessary in connection with the administration of the San José Diridon Development Authority. (Rules Committee Referral 06/13/12)**

Documents Filed: Replacement memorandum from Director of Economic Development/Chief Strategist Kim Walesh, dated June 18, 2012, transmitting revisions to the recommended language to reflect the correct level of authority.

Action: Upon motion by Council Member Pyle, seconded by Council Member Liccardo and carried unanimously, San José Diridon Development Resolution No. 110.1, entitled: “A Resolution of the San José Diridon Development Authority Authorizing the Executive Director, or Her Designee, to Execute, on an Emergency Basis During San José Diridon Development Authority Board Recesses, All Contracts, Contract Amendments, Change Orders and Purchase Orders as Necessary in Connection with the Administration of the San José Diridon Development Authority”, was adopted. (11-0)

Mayor Reed adjourned the Joint City Council/San José Diridon Development Authority at 4:24 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

Dennis D. Hawkins, CMC
City Clerk

/smd 06-19-12 JT-DIRIDON MIN

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/city> or <http://www.sanjoseca.gov/civiccenter>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.