

# **REDEVELOPMENT AGENCY BOARD**

## **SYNOPSIS**

**November 19, 2002**

LINDA J. LEZOTTE  
FORREST WILLIAMS  
CINDY CHAVEZ  
CHUCK REED  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES CHAIR

KEN YEAGER  
GEORGE SHIRAKAWA, JR.  
DAVID CORTESE  
JOHN DIQUISTO  
PAT DANDO

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT10



Welcome to the San Jose Redevelopment Agency's Board meeting. Our Board is composed of the ten City Councilmembers and the Mayor, who serve as our Boardmembers and Chairperson.

This Agenda contains both a Consent Calendar section for routine business items requiring Board approval, and general business items arranged to correspond to the Agency's Core Service Areas. The Core Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the Agency provides to the community and to the City. The four Core Service Areas are:

- ***Promote and Implement Neighborhood Improvement Strategies*** — Through collaboration, revitalize commercial and residential neighborhoods so they are livable, safe, diverse and economically sustainable.
- ***Enhance the Quality and Supply of the City's Housing Stock*** — Enhance the Quality and Supply of the City's Housing Stock
- ***Initiate and Facilitate Public Facilities and Spaces*** — To guide the creation of a fabric of public facilities and spaces that is useful, stable, inviting, delightful and instills pride in the community to foster the opportunity for other investments
- ***Initiate and Facilitate Private Development*** — Capitalize on market opportunities and facilitate private development in the fastest possible time with the highest quality customer service

You may speak to the Board about items on the agenda by submitting a Speaker's Card to the Agency's Clerk seated at the front table. If you wish to address the Board about an issue that is not on the Board agenda, you may speak during the "Open Forum" during the City Council's meeting. The Board 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. Tips for speaking to the Board:

- **Please submit a Blue Speaker's Card before the meeting or before the item is heard.** This ensures that your name is called for item(s) you wish to address, and that the meeting runs smoothly for all participants.
- When the Board reaches your item on the agenda, the Chairperson will open the public hearing and call your name. Please address the Board from the large podium located to the left of the Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Chairperson's discretion however, depending on the number of speakers and length of agenda.
- There are three lights to assist you with tracking your speaking time. They are 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 comes on when your speaking time is up.

If you have any questions, please direct them to Agency 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. The Redevelopment Agency's Board meets on Tuesdays, following the City Council meeting at 1:30 p.m. Agendas of future meetings are posted immediately outside City Hall's main entrance and at: [www.sjredevelopment.org](http://www.sjredevelopment.org).

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

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**Mayor Ron Gonzales called the meeting to order at 3:44 p.m.**

**PRESENT: GONZALES, CAMPOS, CHAVEZ, CORTESE, DANDO,  
DIQUISTO, LEZOTTE, REED, SHIRAKAWA, JR., YEAGER,  
WILLIAMS.**

## **ORDERS OF THE DAY**

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See Item 10 on the City Council Agenda for description of any City Council agenda items relating to the Redevelopment Agency.

**Orders of the Day approved.**

### **1 CEREMONIAL ITEMS**

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**None.**

### **2 CONSENT CALENDAR**

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#### **2.1 Report of the Rules Committee – October 30, 2002**

**Vice Mayor Shirakawa, Jr., Chair**

(a) Review November 12, 2002 Draft Agenda.

(b) Review November 5, 2002 Draft Agenda.

**Approved.**

#### **2.2 Approval of an amendment to the agreement with EnviroScience, Inc., for geotechnical and environmental consulting services.**

**Recommendation:** Approval of the first amendment to the agreement with EnviroScience, Inc., for geotechnical and environmental consulting services on an as-needed basis, in the amount of \$100,000, for a total contract amount not to exceed \$250,000, and requiring the payment of prevailing wages for certain work.

**Approved.**

### 3 NEIGHBORHOOD IMPROVEMENT STRATEGIES

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None.

### 4 HOUSING

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None.

### 5 PUBLIC FACILITIES AND SPACES

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None.

### 6 PRIVATE DEVELOPMENT

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#### 6.1 Finding of need and necessity for eminent domain acquisition of properties located at the intersection of King and Story Roads.

**Recommendation:** Adoption of a resolution determining that the public interest and necessity require the acquisition of real properties owned by Dennis B.K. Fong and Polly O.L. Kam, and located at the intersection of Story and King Roads (APNs: 486-10-086, 088, and 089), and authorizing the General Counsel to file suit in eminent domain to acquire such property interest, to apply for an order of possession before judgment and to prosecute the action to final judgment, and authorizing the deposit of money in court for possession of the property from the funds lawfully available. CEQA: Mitigated ND.

**Public testimony received. Resolution No. 5362 adopted. Noes: Dando, Reed.**

#### 6.2 Finding of need and necessity for eminent domain acquisition of property located at 1646 Story Road at the southwest corner of Story and King Roads.

**Recommendation:** Adoption of a resolution determining that the public interest and necessity require the acquisition of real property owned by Lo Tjen Chong Family Corp., and located at 1646 Story Road at the southwest corner of Story and King Roads (APN: 486-10-087), and authorizing the General Counsel to file suit in eminent domain to acquire such property interest, to apply for an order of possession before judgment and to prosecute the action to final judgment, and authorizing the deposit of money in court for possession of the property from the funds lawfully available. CEQA: Mitigated ND.

**Public testimony received. Resolution No. 5363 adopted. Noes: Dando, Reed.**

## 6 PRIVATE DEVELOPMENT (Continued)

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### 6.3 Finding of need and necessity for eminent domain acquisition of properties at 1167 South King Road at the southwest corner of Story and King Roads.

**Recommendation:** Adoption of a resolution determining that the public interest and necessity require the acquisition of real properties owned by Sangha Enterprise, Inc.; John Y. Kim, Jr., Kayko Jane Kim Katsuyoshi Murano, and Ann Fumi Murano, Co-Trustees of The Murano Family 1998 Trust, both are located at 1167 South King Road at the southwest corner of Story and King Roads (APN: 486-10-064, and 063 respectively), and authorizing the General Counsel to file suit in eminent domain to acquire such property interest, to apply for an order of possession before judgment and to prosecute the action to final judgment, and authorizing the deposit of money in court for possession of the property from the funds lawfully available. CEQA: Mitigated ND.

**Public testimony received. Resolution No. 5364 adopted. Noes: Dando, Reed.**

### 6.4 Finding of need and necessity for eminent domain acquisition of property at 1175 South King Road located at the southwest corner of Story and King Roads.

**Recommendation:** Adoption of a resolution determining that the public interest and necessity require the acquisition of real property owned by Stanley S. Lee And Sylvia W. Lee, Trustees Of The Stanley S. Lee And Sylvia Lee 1999 Revocable Trust and located at 1175 South King Road at the southwest corner of Story and King Roads (APN: 486-10-062), and authorizing the General Counsel to file suit in eminent domain to acquire such property interest, to apply for an order of possession before judgment and to prosecute the action to final judgment, and authorizing the deposit of money in court for possession of the property from the funds lawfully available. CEQA: Mitigated ND.

**Public testimony received. Resolution No. 5365 adopted. Noes: Dando, Reed.**

## **6 PRIVATE DEVELOPMENT (Continued)**

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### **6.5 Finding of need and necessity for eminent domain acquisition of property at 1696 Story Road located at the southwest corner of Story and King Roads.**

**Recommendation:** Adoption of a resolution determining that the public interest and necessity require the acquisition of real property owned by Alex Shui Keung Hung, Trustee Of The Ana Sui Fong Hung Wu Trust and located at 1696 Story Road at the southwest corner of Story and King Roads (APN: 486-10-067), and authorizing the General Counsel to file suit in eminent domain to acquire such property interest, to apply for an order of possession before judgment and to prosecute the action to final judgment, and authorizing the deposit of money in court for possession of the property from the funds lawfully available. CEQA: Mitigated ND.

**Public testimony received. Resolution No. 5366 adopted. Noes: Dando, Reed.**

### **6.6 Finding of need and necessity for eminent domain acquisition of property at 1101 South King Road located at the southwest corner of Story and King Roads.**

**Recommendation:** Adoption of a resolution determining that the public interest and necessity require the acquisition of real property owned by Albert Toy And Lily Wong Toy and located at 1101 South King Road at the southwest corner of Story and King Roads (APN: 486-10-068), and authorizing the General Counsel to file suit in eminent domain to acquire such property interest, to apply for an order of possession before judgment and to prosecute the action to final judgment, and authorizing the deposit of money in court for possession of the property from the funds lawfully available. CEQA: Mitigated ND.

**Public testimony received. Resolution No. 5367 adopted. Noes: Dando, Reed.**

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

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**None.**

### **CLOSED SESSION REPORT**

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**None.**

**OPEN FORUM**

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**None.**

**ADJOURNMENT**

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**The meeting was adjourned at 6:31 p.m.**