

Minutes of Regular Meeting
Board of Directors
San Jose Downtown Property Owners' Association

March 16, 2010

A regular meeting of the Board of Directors of the San Jose Downtown Property Owners' Association (POA), a non-profit California corporation, was held at the SJDA office, 28 N. First St., Suite 1000, San Jose, CA 95113.

Board members present: Burnell, Berg, Kern, Ortbal, Mattson, Ryan, Knox, Hammers and Utic.

Board Members absent: Fitzpatrick.

Also present were Executive Director Scott Knies, Deputy Director Blage Zelalich, Operations Manager Eric Hon, Steve Parker and Allen Ishibashi, San Jose Redevelopment Agency, Rich Mongarro, SGI Program Manager for Groundwerx.

Hammers called the meeting to order at 8:30 a.m.

Minutes

- The January 19, 2010 meeting minutes emailed in advance to the board were unanimously approved.

President's Report

- Hammers reminded the board that its officers needed to be reelected for the new year. Hammers said that Richard Utic, Saratoga Capital was nominated for the vacant Vice President position, with the other three officers standing for reelection unless other board members were interested.
- The board unanimously approved Hammers for President, Utic for Vice President, Mattson for Secretary and Knox as treasurer.

Old Business

- Kern requested item 5c (Downtown street trees update) be moved up on the agenda.
- Kern distributed a four-page memo with a recommendation that the PBID trim the 65 trees identified by the RDA as a one-time project at a cost not to exceed \$12,000 with the PBID pursuing future tree trimming projects at its discretion. RDA staff members, Ishibashi and Parker, said the PBID would need a City permit and that they can help obtain one. Kern confirmed with the City attorney's office, the PBID has the ability to address street tree maintenance issues, if desired.
- Hammers asked about the status of the downtown tree survey. Parker said it has begun, but he has come to the realization that it will take longer to complete than he anticipated. Parker estimated the survey would take at least another six months.
- Hammers asked how urgent it is to get the 65 trees trimmed. Ishibashi said having seen the winter storm season pass, there is less urgency.
- Knies recapped the sequence of events over the past few board meetings regarding street tree maintenance. The entire board engaged in a lengthy discussion about the many complex issues involved, such as: property owner notification, trees in the median and other public places, liability, scope of tree project,

timing with City census and whether cost of PBID tree maintenance is to be shared by property owners, if so how much. Two main issues came to the forefront during this discussion: should the trees identified in the RDA recommendation be trimmed as a one-time project; and should the PBID identify a long-range plan to maintain the trees in the district.

- Ortbal said he believes the trees in the medians, including the transit mall medians, are the City's responsibility.
- Ortbal said he would contact the City's arborist to review the RDA recommended tree list to determine if those trees need to be trimmed. Other trees, such as palms loaded with berries and jacarandas, may need to be pruned more urgently than the sycamores identified by RDA. Ortbal also recommends a long-term strategy be developed with the PBID, RDA and the City for future tree maintenance. For instance, once the full scope of the downtown tree maintenance is determined and cost estimates secured, the City could do the initial outreach to the responsible party and the PBID could follow up with an offer to provide the tree care and associated costs.

Beautification committee update

- Ryan gave a quick update from the beautification committee meeting on March 10. Finley Landscape Design has made recommendations for a Spring 2010 project, which the committee has approved. At the January meeting, the board approved accelerating the next phase of the beautification project by combining the unspent Phase 2 funds and 2010-11 beautification budget (\$440,375).
- Zelalich said the beautification committee also discussed the restoration of the SoFA festoon lights as part of the next phase. The committee approved this expense at the March 10 meeting as well.

Old Business

- Hon said he was working with the City to draft a contract for the Highway 87 project. Ortbal directed Hon to work with the City's Department of Transportation.
- Entering the PBID's third year, Knies said he has in the process of meeting with property owners to get feedback on services thus far. The 2010 member survey will also provide additional insight from property owners, businesses and residents. Looking forward to the 2012 renewal year, Knies said staff would scan other districts and identify the best model for the downtown San Jose PBID.
- Board members offered to participate in property owner meetings with Knies. Knies said board members are welcome to attend the meetings, as well as accompanying Mongarro and Hon on the weekly walkabouts.

PBID operations report

- The operations report was deferred to the May 18 board meeting.

Meeting adjourned at 10:07 a.m.