

# **REDEVELOPMENT AGENCY BOARD**

## **SYNOPSIS**

**August 14, 2001**

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 5:10 p.m.**

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

**ABSENT: DANDO (EXCUSED)**

## **ORDERS OF THE DAY**

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Item 7.1 is to be considered in a joint Redevelopment Agency Board/City Council session.

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 Approval of Minutes:**

**Recommendation:** Approval of Redevelopment Agency Minutes for:

- (a) Parking Management Study Session of May 24, 2001 (Deferred 6/19/01)
- (b) Regular meeting of June 12, 2001
- (c) Regular meeting of June 19, 2001
- (d) Regular meeting of June 26, 2001

**Approved. Absent: Dando.**

### **2.2 Report of the Rules Committee – June 20, 2001**

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

- (a) Review July 3, 2001 Draft Agenda. (Cancelled for Recess)
- (b) Add New Items to the June 26, 2001 Amended Agenda.

**Approved. Absent: Dando.**

## 2 CONSENT CALENDAR (Continued)

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### 2.3 Approval of the early termination of a sublease with San Jose Jazz Society for Agency space at 60 South Market Street and approval of a sublease with Working Partnerships USA.

**Recommendation:** Approval of the early termination of the existing sublease with San Jose Jazz Society for approximately 1,000 square feet of Agency space at 60 South Market Street and of a sublease with Working Partnerships USA which incorporates the Jazz Society's former space. CEQA: Resolution No. 68839.

**Public testimony received. Approved contingent upon landlord's consent.**

**Absent: Dando.**

### 2.4 Approval of the second amendment and continuation agreement with Gould Architects, for construction administration services related to the Fox California Theatre renovation, extending the term of the agreement through December 31, 2002, at no additional cost.

**Recommendation:** Approval of the Second Amendment and Continuation Agreement with Gould Architects, with no increase in fee, revising the scope of services to include construction administration services related to modifications to the Hyatt Sainte Claire Hotel and the Dohrmann Building, required as part of the Fox California Theatre renovation and expansion project, and extending the term of the agreement through December 31, 2002.

**Approved. Absent: Dando.**

### 2.5 Approval of the first amendment to the agreement with Royston Hanamoto Alley & Abey, for architectural landscape design services at Saint James Park, in a total amount not to exceed \$334,180, and amending the scope of services.

**Recommendation:** Approval of the first amendment to the agreement with Royston Hanamoto Alley & Abey, in the amount of \$150,000, for a total contract amount not to exceed \$334,180, for architectural landscape design services, and amending the scope of services for additional master planning services for St. James Park Master Plan.

**Approved. Absent: Dando.**

**2.6 Approval of the sixth amendment and continuation agreement to the master agreement with Ohlone Families Consulting Services, extending the term of the agreement through June 30, 2002.**

**Recommendation:** Approval of the Sixth Amendment and Continuation Agreement to the master agreement with Ohlone Families Consulting Services, for archaeological monitoring services, extending the term of the agreement through June 30, 2002, at no additional cost. **(MERGED)**

**Approved. Absent: Dando.**

**2.7 Approval of amendments and continuation agreements to the tree establishment agreements for the Downtown and the Neighborhood Business Districts, adding a cumulative total of \$300,000.**

**Recommendation:** It is recommended that the Agency Board approve:

- (a) The First Amendment and Continuation Agreement with West Coast Arborists, Inc., in the amount of \$100,000 for a total contract amount of \$200,000, and extend the term of the agreement one year to June 30, 2002; and,
- (b) The First Amendment and Continuation Agreement with Plant Control Landscape Maintenance, Inc., in the amount of \$100,000 for a total contract amount of \$200,000, and extend the term of the agreement one year to June 30, 2002; and,
- (c) The First Amendment and Continuation Agreement with Anderson Tree Care, in the amount of \$100,000 for a total contract amount of \$200,000, and extend the term of the agreement one year to June 30, 2002.

**Approved. Absent: Dando.**

**2.8 Increase of the Public Art budget for the Fourth and San Fernando Streets Parking Garage.**

**Recommendation:** It is recommended that the Agency Board adopt resolutions:

- (a) Approving the addition of \$132,407 to the Adopted FY 2001-2002 Capital Budget, Fourth Street Parking Garage – Public Art project line in the Merged Redevelopment Area from the Capital Reserve.

**Resolution No. 5196 adopted. Absent: Dando.**

## 2 CONSENT CALENDAR (Continued)

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- (b) Amending the FY 2001-2002 Agency appropriations resolution.  
CEQA: Resolution No. 64273.

**Resolution No. 5197 adopted. Absent: Dando.**

### **2.9 Approval of first amendments and continuation agreements with the Strong Neighborhood Initiative's planning services consultants, extending contract terms by one year with no additional costs.**

**Recommendation:** It is recommended that the Agency Board:

- (a) Approve the First Amendment and Continuation Agreement with Design, Community & Environment, for planning services in the Arbuckle-Goss (East Valley I-680) area, and extend the term of the agreement by one year, to June 30, 2002; and,
- (b) Approve the First Amendment and Continuation Agreement with Bottomley Urban Design & City Planning, for planning services in the Gardner-Atlanta area, and extend the term of the agreement by one year, to June 30, 2002; and,
- (c) Approve the First Amendment and Continuation Agreement with BMS Design Group, for planning services in the 13th Street area, and extend the term of the agreement by one year, to June 30, 2002; and,
- (d) Approve the First Amendment and Continuation Agreement with Moore Iacofano Goltsman, for planning services in the Winchester area, and extend the term of the agreement by one year, to June 30, 2002; and,
- (e) Approve the First Amendment and Continuation Agreement with Moore Iacofano Goltsman, for planning services in the Whaley (West Evergreen) area, and extend the term of the agreement by one year, to June 30, 2002.

**Items 2.9 (a)-(e) Approved. Absent: Dando.**

### **2.10 Approval of an increase to the construction contingency in the demolition contract of Ferma Corporation in the amount of \$20,000, for a total amount not to exceed \$31,245.**

**Recommendation:** Adoption of a resolution approving an increase in the construction contingency in the demolition contract of Ferma Corporation, in the amount of \$20,000 for a total contingency amount of \$31,245, for the demolition of the Oak Room Building located at 941-945 The Alameda. CEQA: Exempt.

**Resolution No. 5198 adopted. Absent: Dando.**

### 3 NEIGHBORHOOD IMPROVEMENT STRATEGIES

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#### 3.1. **Approval of the Eighth Amendment to the Strong Neighborhoods Initiative Survey Area, expanding the Survey Area in Council Districts 5, 6, and 8, and related actions.**

**Recommendation:** Adoption of a resolution approving the eighth amendment to the Strong Neighborhoods Initiative Survey Area, finding that the Survey Area be studied to determine if one or more redevelopment projects are feasible, and directing the Executive Director to commence study of the Amended Survey Area to determine the feasibility of Redevelopment Plan adoption activities in the areas including:

- (a) In Council District 6, the area generally bounded by Forest Avenue to the north, Hester Street to the east, San Carlos Street to the south and Bascom Avenue to the west; and,
- (b) In Council District 5, the area generally bounded by St. James Street to the north, Silcreek Drive to the east, Alum Rock Avenue to the south and King Road to the west; and,
- (c) In Council District 8, the area generally bounded by Ocala Drive to the north, Reid-Hillview Airport to the east, Tully Road to the south and King Road to the west.

**Item 3.1 deferred until August 28, 2001.**

#### 3.2 **Approval of Owner Participation Agreements for facade improvements and edge treatments for buildings located at Story Road and Lido Way and at the northeast corner of Story and King Roads.**

**Recommendation:** Agency Board approval of:

- (a) An Owner Participation Agreement with Dan Hoady and Linda Hoady, owners of the buildings located at the northeast corner of Story Road and King Road (APN 481-38-008 and APN 481-38-011), in the amount of \$120,000, for edge treatments for the parking lots on two properties fronting King Road and Lido Way; and,
- (b) An Owner Participation Agreement with Cha Cha Enterprises, Inc., in the amount of \$860,000, for facade improvements and edge treatments for buildings in the Mi Pueblo Plaza, located between Story Road and Lido Way; and,

### 3 NEIGHBORHOOD IMPROVEMENT STRATEGIES (Continued)

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- (c) An Owner Participation Agreement with the Lino J. Bailo Trust, in the amount of \$60,000 for edge treatments on the parking lot fronting King Road.

CEQA: Resolution No. 62615.

**Item 3.2(a)-(c) deferred until August 21, 2001.**

### 4 HOUSING

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None.

### 5 PUBLIC FACILITIES AND SPACES

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- 5.1 Approval of the first amendment to the agreement with Cutler & Associates, Inc., adding \$1,900,000, for a total contract amount not to exceed \$4,500,000, at no increase to the budget.**

**Recommendation:** Approval of the first amendment to the agreement with Cutler & Associates, Inc., adding the amount of \$1,900,000, for a total contract amount not to exceed \$4,500,000, for continued real estate acquisition and site delivery services for various Redevelopment projects, at no addition to the approved budget, and making minor technical amendments.

**Public testimony received. Approved. Absent: Dando.**

- 5.2 Approval of a Purchase and Sale Agreement with Carmen G. Lopez and Pablo Martinez for real property located at 152 Viola Avenue (APN 264-30-024) for the potential expansion of the San Jose McEnery Convention Center, in the amount of \$400,000.**

**Recommendation:** Approval of a Purchase and Sale Agreement with Carmen G. Lopez and Pablo Martinez, in the amount of \$400,000 plus related closing costs, for real property located at 152 Viola Avenue (APN 264-30-024) for the potential expansion of the San Jose McEnery Convention Center. CEQA: Resolution No. 68839.

**Approved. Absent: Dando.**

## 5 PUBLIC FACILITIES AND SPACES (Continued)

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### 5.3 Rejection of all bids for the Monopoly in the Park Project and approval to rebid the project.

**Recommendation:** Approval of the rejection of all bids for the Monopoly in the Park Project and direction to rebid the project.

**Approved. Absent: Dando.**

### 5.4 Approval of the second amendment to the lease agreement with the San Jose Stage Company for the facility located at 490 South First Street.

**Recommendation:** Approval of the second amendment to the lease agreement with the San Jose Stage Company for the facility located at 490 South First Street (APN: 467-47-098), extending the lease through December 31, 2003, at the rate of \$2,000 monthly.

**Approved. Absent: Dando.**

### 5.5 Award of a construction contract to Robert A. Bothman, Inc., the low bidder, in the amount of \$737,364, plus a 10 % contingency of \$73,736, for the Family Recreation Area at Saint James Park Project.

**Recommendation:** Award of a construction contract to Robert A. Bothman, Inc., the low bidder, in an amount of \$737,364, for construction of the Family Recreation Area at Saint James Park Project, and establishing a construction contingency in the amount of \$73,736. CEQA: Resolution No. 68839.

**Public testimony received. Absent: Dando.**

### 5.6 Approval of the second amendment to the agreement with Gilbane Building Company, in the amount of \$303,560, and the third amendment to the agreement with Banducci Associates Architects, Inc., in the amount of \$130,000, for completion of construction of the San Jose Repertory Theatre, at no increase to the project budget.

**Recommendation:** Agency Board approval of:

- (a) The second amendment to the agreement with Gilbane Building Company, in the amount of \$303,560, for a total contract amount not to exceed \$2,933,560, for completion and enhancements to the San Jose Repertory Theatre; and,

## **5 PUBLIC FACILITIES AND SPACES (Continued)**

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- (b) The third amendment to the agreement with Banducci Associates Architects, Inc. in the amount of \$130,000, for a total contract amount not to exceed \$541,000, and amending the scope of work, for architectural and consultant services relating to the completion of the Repertory Theatre project.

**Approved. Absent: Dando.**

## **6 PRIVATE DEVELOPMENT**

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**None.**

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

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- 7.1 Approval by the City Council of an amendment to the agreement with Neighborhood Housing Services of Silicon Valley to assist with tenant improvements for the NHS office at Story and King Roads and approval by the Agency Board to reimburse the City for one-half of the costs.**

**Recommendation:** Approval by the City Council of an amendment to the agreement between Neighborhood Housing Services of Silicon Valley (NHS) and the City of San Jose to partially fund tenant improvements, in an amount not to exceed \$155,370, for the 5,179 square foot permanent NHS office at the corner of Story and King Roads, and adoption of a resolution by the Agency Board approving reimbursement to the City for one-half of the costs.

**Item 7.1 deferred until August 28, 2001.**

## **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 5:50 p.m.**