

REDEVELOPMENT AGENCY BOARD AMENDED AGENDA

JUNE 11, 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

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 Agency Board may consider agenda items out of order.

• **Orders of the Day**

- * Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.
Items 7.1 - 7.3 are 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.

Item 7.2, Change to read:

“(a) Adoption of resolutions:

- (1) By the City Council and Redevelopment Agency Board authorizing the City Manager and Redevelopment Agency Executive Director to negotiate and execute the Second Amendment to the Cooperation Agreement for the Northside Community Center, authorizing the Agency to fund an additional amount of \$1,748,313, for total Agency funding of \$5,046,313; and,
- (2) By the City Council authorizing the City Manager, or designee, to negotiate and execute amendments to the Master Developer Agreement with Bridge Economic Development Corporation on behalf of the City related to the development of the Northside Community Center to reflect the additional funds in the Second Amendment to the Cooperation Agreement, and a Guaranteed Maximum Price for the Community Center; and,"

Item 7.3, to be added:

“7.3 Approval of various actions related to the Proposed Strong Neighborhoods Initiative Redevelopment Plan.

Recommendation: Public Hearing and:

- (a) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the report accompanying the Proposed Strong Neighborhoods Initiative Redevelopment Plan and Merger.
- (b) Approval of an ordinance by the City Council adopting the proposed Strong Neighborhoods Initiative Redevelopment Plan with the recommended

amendment to Section 306 as submitted by the Project Area Committee, which addresses community concerns about the use of eminent domain, and choosing one of the following alternative boundary options, and making certain findings:

- (1) With the boundaries set forth on Exhibit A-1; or
 - (2) If the Fifteenth Amended Century Center Redevelopment Plan is approved by the City Council, with boundaries excluding the Century Center Added Area as shown on Exhibit A-2; or
 - (3) If the Santa Clara County Board of Supervisors does not authorize inclusion of unincorporated County pockets with the Project Area, with boundaries excluding the County pockets, as shown on Exhibit A-3; or
 - (4) With the boundaries set forth on Exhibit 1, excluding the Burbank Community Association's jurisdictional area, as shown on Exhibit A-4.
- (c) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Project Area Committee's policy recommendations.
 - (d) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Five-Year Implementation Plan for the Strong Neighborhoods Initiative.
 - (e) Approval of an ordinance by the City Council approving the merger of the Strong Neighborhoods Initiative Redevelopment Project into the San Jose Merged Project Area and making certain findings.

(Redevelopment Agency/City Manager's Office)

TO BE HEARD IN THE EVENING, AS 10.3 ON THE CITY COUNCIL AGENDA

1 CEREMONIAL ITEMS

2 CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the Agency Board and will be adopted by one motion. If a member of the Agency Board, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

2.1 Approval of Board Meeting Minutes:

Recommendation: Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of March 12, 2002.
- (b) Regular meeting of March 26, 2002.

**2.2 Report of the Agency Finance Committee – April 24, 2002
Council Member Dando, Chair**

- (a) Monthly Financial Statements – March 2002
- (b) Capital Cost Report – March 2002
- (c) Cash Flow Projection
- (d) Tax Increment Forecast

**2.3 Report of the Rules Committee – May 22, 2002
Vice Mayor Shirakawa, Jr., Chair**

- (a) Review June 4, 2002 Draft Agenda.
- (b) Add New Items to the May 28, 2002 Agenda.

**2.4 Report of the Rules Committee – May 29, 2002
Vice Mayor Shirakawa, Jr., Chair**

- (a) Review June 4, 2002 Draft Agenda.
- (b) Add New Items to the June 4, 2002 Agenda; Meeting Cancelled

2.5 Approval of a FIP Owner Participation Agreement to assist with the rehabilitation of the Studio Theatre/Polly Esther's located at 396 South First Street.

Recommendation: Approval of a Facade Improvement Program (FIP) Owner Participation Agreement with Richard Berg, authorized representative of several family trusts with property ownership interests, and Polly Esther's San Jose, LLC, business owner and program applicant, in an amount not to exceed \$132,000, to assist with the rehabilitation of Studio Theatre/Polly Esther's located at 396 South First Street. **(MARKET GATEWAY)**

2.6 Approval of amendments to agreements with West Coast Arborists and with Anderson Tree Care for Tree Establishment Services.

Recommendation:

- (a) Approval of the second amendment to the agreement with West Coast Arborists, Inc., in the amount of \$75,000 for a total contract amount not to exceed \$275,000, and extension of the term of the agreement by one year through June 30, 2003; and,
- (b) Approval of the second amendment to the agreement with Anderson Tree Care, in the amount of \$75,000, for a total contract amount not to exceed \$275,000, and extension of the term of the agreement by one year through June 30, 2003.

(MERGED)

2.7 Approval of the second amendment to the agreement with CEL for special testing and inspection services at the Fourth Street Parking Garage Project.

Recommendation: Approval of the second amendment to the agreement with Consolidated Engineering Laboratories, Inc. (CEL), in the amount of \$66,000, for a total contract amount not to exceed \$240,090, for special testing and inspection services at the Fourth Street Parking Garage Project, and amending the compensation to provide additional labor categories and rates and other technical changes.. (MERGED)

2.8 Approval of the second amendment to the agreement with Sugimura and Associates for landscape design services for the Neighborhood Business Cluster and the proposed SNI Redevelopment Project Areas.

Recommendation: Approval of the second amendment to the agreement with Sugimura and Associates, for landscape design services for the Neighborhood Business Cluster Project Area and the proposed Strong Neighborhoods Initiative (SNI) Redevelopment Project Area, where appropriate, extending the term one year through December 31, 2003, at no additional cost. (MERGED)

2.9 Approval of the first amendment to the agreement with Michael Brandman Associates, Inc., for the preparation of an environmental impact report for the Mixed Use Project.

Recommendation: Approval of the first amendment to the agreement with Michael Brandman Associates, Inc., in the amount of \$3,928, for a total contract amount not to exceed \$303,928, for the preparation of an environmental impact report for the Mixed Use Project, revising the scope of services and extending the term of the agreement four months through September 30, 2002. (MERGED)

2.10 Approval of the second amendment to the agreement with Bellecci & Associates for preparation of legal descriptions for the proposed SNI Redevelopment Project Area.

Recommendation: Approval of the second amendment to the agreement with Bellecci & Associates, in the amount of \$45,596, for a total amount not to exceed \$175,596, for preparation of legal descriptions for the proposed Strong Neighborhoods Initiative (SNI) Redevelopment Project Area. (MERGED)

2.11 Approval of a Facade Improvement Agreement with Monterey Technology Center Investors, LLC, owner of the building located at 295 Phelan Avenue.

Recommendation: Approval of a Facade Improvement Agreement, in the amount of \$154,000, with Monterey Technology Center Investors, LLC, owner of

the building located on 295 Phelan Avenue, for improvements to the exterior of the 7th and Phelan Technology Center. **(MONTEREY CORRIDOR)**

3 NEIGHBORHOOD IMPROVEMENT STRATEGIES

(Revitalize commercial and residential neighborhoods so they are livable, safe, diverse and economically sustainable.)

3.1 Acquisition by eminent domain of real property located at 50 Bellevue Avenue, owned by Catherine M. Linquist and James B. Linquist, Co-Trustees of the Linquist Family Trust C.

Recommendation: Adoption of a resolution determining that the public interest and necessity require the acquisition by eminent domain of real property located at 50 Bellevue Avenue (APN 434-24-074), owned by Catherine M. Linquist and James B. Linquist, Co-Trustees of the Linquist Family Trust C, and authorizing the General Counsel to file suit in eminent domain with respect to such property for use as a neighborhood park serving the Washington-Guadalupe neighborhood. **(MONTEREY CORRIDOR)**

3.2 Approval of a Purchase and Sale Agreement with Westminster Presbyterian Church for the acquisition of the Hanchett Avenue lot located at 1343 The Alameda.

Recommendation: Approval of a Purchase and Sale Agreement with Westminster Presbyterian Church, in the amount of \$350,000, for the acquisition of the Hanchett Avenue lot located at 1343 The Alameda (APN: 261-23-064), in The Alameda Project Area for use as a public parking lot. CEQA: Resolution No. 62613 **(THE ALAMEDA)**

4 HOUSING

(Enhance the Quality and Supply of the City's Housing Stock)

5 PUBLIC FACILITIES AND SPACES

(Creation of public facilities and spaces that is useful, stable, inviting, delightful and instills pride in the community to foster the opportunity for other investments)

5.1 Approval of an OPA with ESUHSD for improvements to an existing parking lot and for public parking use rights at James Lick High School and related budget actions, and making certain findings.

Recommendation: Adoption of a resolution approving an Owner Participation Agreement with the East Side Union High School District (ESUHSD), in an amount not to exceed \$375,000, for improvements to an existing parking lot at James Lick High School located at 57 North White Road, with the Agency obtaining public use rights to the parking; and making certain determinations required under California Health and Safety Code Section 33445. CEQA: Exempt. (ALUM ROCK)

5.2 Approval of a lease with Helen L. and John C.M. Tang for the Agency-owned property located at 21 North Fifth Street.

Recommendation: Approval of a lease between Helen L. and John C.M. Tang dba Pacific Car Wash and the Agency for the property located at 21 North Fifth Street, for a three-year term and an option for an additional three years and an initial lease payment to the Agency of \$4,100 monthly. (CIVIC PLAZA)

5.3 Award of a contract to Randazzo Enterprises, Inc., for the demolition of residential and commercial buildings and site work at 155-159, 167-169, 171, 175, 179, 181, 193, 195, and 197 East Santa Clara Street and 53, 63, 71 and 77 North Fifth Street.

Recommendation: Adoption of a resolution awarding a contract to Randazzo Enterprises, Inc., the low bidder, in the amount of \$243,616, for the demolition of residential and commercial buildings and related site work at 155-159, 167-169, 171, 175, 179, 181, 193, 195, and 197 East Santa Clara Street and 53, 63, 71 and 77 North Fifth Street for preparation of the site for construction uses and future development and establishing a contingency in the amount of \$24,362 for a total of \$267,978. CEQA: Resolution No. 68905 (CIVIC PLAZA)

5.4 Approval of the fourth amendment to the agreement with Ellerbe Becket, for architectural and engineering services for the Fourth and San Fernando Garage Project.

Recommendation: Approval of the fourth amendment to the agreement with Ellerbe Becket, in the amount of \$540,000, for a total contract amount not to exceed \$3,504,525, for architectural and engineering services for the Fourth and San Fernando Garage Project at the northeast corner of South Fourth and East San Fernando Streets, amending the scope of work, and extending the term of the agreement by six months through December 30, 2002. (MERGED)

5.5 Approval of a contract with Brunk Industries for repair of the second floor ceiling at the Tech Museum of Innovation and related budget actions.

Recommendation:

- (a) Approving the addition of \$435,966 in the Adopted FY 2001-2002 Capital Budget and amending the FY 2001-2002 Agency Appropriations Resolution; and,
- (b) Approving a contract with Brunk Industries, in the amount of \$415,206, and authorizing a construction contingency in the amount of \$20,760, for repair of the second floor ceiling at the Tech Museum of Innovation.
(PARK CENTER)

5.6 Approval of the shift of \$10,000,000 from Year 2 of the Five-Year CIP to the current year FY 2001-02 Adopted Budget Rincon Flood Control line item in Rincon de Los Esteros.

Recommendation: Adoption of a resolution:

- (a) Approving the shift of \$10,000,000 from Year 2 of the Five-Year Capital Improvement Program (CIP) to the current year FY 2001-02 Adopted Budget, Rincon Flood Control line item in Rincon de Los Esteros, to provide funding for Phase II of the Rincon Flood Master Plan; and,
- (b) Amending the FY 2001-2002 Agency appropriations resolution.
(PARK CENTER)

6 PRIVATE DEVELOPMENT

(Capitalize on market opportunities and facilitate private development in the fastest possible time with the highest quality customer service)

7 JOINT REDEVELOPMENT AGENCY/COUNCIL

7.1 Approval of the proposed Fifteenth Amended Century Center Redevelopment Plan; the Report Accompanying the proposed Fifteenth Amended Century Center Redevelopment Plan; the Amended Five-Year Implementation Plan; and the Merger of the Fifteenth Amended Century Center Redevelopment Plan into the Existing San Jose Merged Project Area.

Recommendations:

- (a) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Report Accompanying the Proposed Fifteenth Amended Century Center Redevelopment Plan and merger.

- (b) Approval of an ordinance by the City Council adopting the proposed Fifteenth Amended Century Center Redevelopment Plan and making certain findings.
- (c) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Amended Five-Year Implementation Plan for the Amended Century Center Redevelopment Project Area.
- (d) Approval of an ordinance by the City Council approving the merger of the Fifteenth Amended Century Center Redevelopment Plan into the San Jose Merged Area and making certain findings.

CEQA: Resolution to be adopted (**CENTURY CENTER**)

7.2 Transfer of funds from the Agency to the City for the construction of the Northside Community Center.

Recommendation:

- (a) Adoption of resolutions:
 - (1) By the City Council and Redevelopment Agency Board authorizing the City Manager and Redevelopment Agency Executive Director to negotiate and execute the Second Amendment to the Cooperation Agreement for the Northside Community Center, authorizing the Agency to fund an additional amount of \$1,748,313, for total Agency funding of \$5,046,313; and,
 - (2) By the City Council authorizing the City Manager, or designee, to negotiate and execute amendments to the Master Developer Agreement with Bridge Economic Development Corporation on behalf of the City related to the development of the Northside Community Center to reflect the additional funds in the Second Amendment to the Cooperation Agreement, and a Guaranteed Maximum Price for the Community Center.
- (b) Adoption of a resolution by the Redevelopment Agency Board amending the FY 2001-2002 Redevelopment Agency appropriations resolution; and,
- (c) Adoption of Appropriation Ordinance and Funding Sources Resolution amendments by the City Council in the General Fund:
 - (1) Increasing the Northside Community Center appropriation amount by \$1,748,313; and,

- (2) Increasing the estimate for Revenue from Local Agencies by \$1,748,313.

(JAPANTOWN)

7.3 Approval of various actions related to the Proposed Strong Neighborhoods Initiative Redevelopment Plan.

Recommendation: Public Hearing and:

- (a) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the report accompanying the Proposed Strong Neighborhoods Initiative Redevelopment Plan and Merger.
- (b) Approval of an ordinance by the City Council adopting the proposed Strong Neighborhoods Initiative Redevelopment Plan with the recommended amendment to Section 306 as submitted by the Project Area Committee, which addresses community concerns about the use of eminent domain, and choosing one of the following alternative boundary options, and making certain findings:
 - (1) With the boundaries set forth on Exhibit A-1; or
 - (2) If the Fifteenth Amended Century Center Redevelopment Plan is approved by the City Council, with boundaries excluding the Century Center Added Area as shown on Exhibit A-2; or
 - (3) If the Santa Clara County Board of Supervisors does not authorize inclusion of unincorporated County pockets with the Project Area, with boundaries excluding the County pockets, as shown on Exhibit A-3; or
 - (4) With the boundaries set forth on Exhibit 1, excluding the Burbank Community Association's jurisdictional area, as shown on Exhibit A-4.
- (c) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Project Area Committee's policy recommendations.
- (d) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Five-Year Implementation Plan for the Strong Neighborhoods Initiative.
- (e) Approval of an ordinance by the City Council approving the merger of the Strong Neighborhoods Initiative Redevelopment Project into the San Jose Merged Project Area and making certain findings.

(Redevelopment Agency/City Manager's Office)

TO BE HEARD IN THE EVENING, AS 10.3 ON THE CITY COUNCIL AGENDA

• Closed Session Report

- **Open Forum - To be heard jointly with City Council Public Discussion.**
- **Adjournment**