



# **REDEVELOPMENT AGENCY AMENDED AGENDA**

**FEBRUARY 15, 2005**

LINDA J. LE ZOTTE  
FORREST WILLIAMS  
CINDY CHAVEZ  
CHUCK REED  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES CHAIR

KEN YEAGER  
(VACANT)  
DAVID D. CORTESE  
JUDY CHIRCO  
NANCY PYLE

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 Council Members and the Mayor, who serve as our Boardmembers and Chairperson.

Attached is the Redevelopment Agency's agenda for this meeting. The Agenda contains both a Consent Calendar section for routine business items requiring Redevelopment Agency approval, as well as general business items arranged corresponding to the Agency's Critical Service Areas. The Critical 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 Critical 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 provide input on agenda items by filling out a BLUE Speaker's Card and submitting it to the Agency's Clerk seated at the front table. If you wish to address the Redevelopment Agency about an issue that is not on the agenda, you may speak during the "Open Forum" during the City Council's meeting. The Council/Agency is unable to take action on issues presented during "Open Forum." If you wish to speak to the Agency, some tips to help you are noted below:

- **Submit a speaker's card before the meeting and before the item is heard.** This will ensure that your name is called for the item(s) you wish to address, and ensure 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 Agency 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 meets on Tuesdays, following the City Council's meeting at 1:30 p.m.

Meeting agendas are posted outside City Hall and the agendas and Agency Board Staff Reports may be viewed on the Internet at <http://www.sjredevelopment.org/agendas.htm>. 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 Redevelopment Agency may consider agenda items out of order.

- **Call to Order and Roll Call**

9:30 a.m. - Closed Session, Room 600, City Hall  
See Separate Agenda

1:30 p.m. - Regular Session, Council Chambers, City Hall

- **Orders of the Day**

**Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.**

\* Items marked with an asterisk denote changes or additions to the previously published Agenda for this meeting.

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

## **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 and will be adopted by one motion. If a member of the Redevelopment Agency, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

## 2 CONSENT CALENDAR

---

### 2.1 Approval of Board Meeting Minutes:

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

- (a) Regular meeting of January 11, 2005.
- (b) Regular meeting of January 25, 2005.

### 2.2 **Approval of an amendment for additional funding and term extension of the agreement with Bellecci Associates for preparation of engineered construction documents for streetscape improvements.**

**Recommendations:**

- (a) Adoption of a resolution approving the reallocation of \$76,725 from the Civic Plaza–Historic project line and \$23,275 from the Capital Project Operating Expenditure Non-Personal Services line to the Civic Plaza Streetscape project line in the Civic Plaza Redevelopment Area in the FY 2004-2005 Adopted Capital Budget; and amending the FY 2004-2005 Agency appropriations resolution.
- (b) Approval of the first amendment to the agreement with Bellecci and Associates for design services in connection with the Civic Plaza Improvement Project, increasing the amount by \$99,800, for a total contract amount not to exceed \$516,348, amending the scope for additional design coordination and construction support services, and extending the term of the agreement by six months through October 30, 2005.

CEQA: Resolution No. 68905; PP04-03-071 [CIVIC PLAZA]

### \*2.3 **Approval of the continuation agreement and fifth amendment to the agreement with Rudolph & Sletten for construction management services on the California Theatre Project and related budget actions.**

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

- (a) Adopt a resolution approving the addition of \$145,000 to the FY 2004-2005 Adopted Capital Budget in the California Theatre project line in the Market Gateway Redevelopment Area and amending the FY 2004-2005 Agency appropriations resolution.

## **2 CONSENT CALENDAR**

---

- 2.3** (b) Approve the continuation agreement and fifth amendment to the agreement with Rudolph & Sletten, Inc., for construction management services for the California Theatre project, increasing the compensation in the amount of \$145,000, for total compensation not to exceed \$3,745,000, amending the scope of work and extending the term of the agreement through June 30, 2005.

### **[MARKET GATEWAY]**

**\*2.4 Report of the Rules Committee – January 12, 2004.**

- (a) Review January 25, 2005 Draft Agenda.
- (b) Addition of new items to the January 18, 2005 Agenda: Dropped – Meeting cancelled.
- (c) Staff Reports Outstanding for the January 18, 2005 Agenda.

**\*2.5 Report of the Rules Committee – January 19, 2004.**

- (a) Review February 1, 2005 Draft Agenda.
- (b) Addition of new items to the January 25, 2005 Agenda
- (c) Staff Reports Outstanding for the January 25, 2005 Agenda.

**\*2.6 Report of the Rules Committee – January 26, 2004.**

- (a) Review February 8, 2005 Draft Agenda.
- (b) Addition of new items to the February 1, 2005 Agenda: Dropped – Meeting cancelled.
- (c) Staff Reports Outstanding for the February 1, 2005 Agenda.

**\*2.7 Report of the Rules Committee – February 2, 2004.**

- (a) Review February 15, 2005 Draft Agenda.
- (b) Addition of new items to the February 8, 2005 Agenda.
- (c) Staff Reports Outstanding for the February 8, 2005 Agenda.

## **3 GENERAL**

---

## **4 NEIGHBORHOOD IMPROVEMENT STRATEGIES**

---

## 5 HOUSING

---

## 6 PUBLIC FACILITIES AND SPACES

---

### \*6.1 **Authorization for the Executive Director to award a contract for construction of infrastructure and site improvements to support the San Jose McEnery Convention Center expansion project.**

**Recommendations:** Adoption of a resolution authorizing the Executive Director to negotiate and award a contract for the construction of infrastructure and other site improvements necessary to support the San Jose McEnery Convention Center temporary expansion project.. CEQA: Mitigated Negative Declaration, CP04-028 [MERGED]

## 7 PRIVATE DEVELOPMENT

---

## 8 JOINT REDEVELOPMENT AGENCY/COUNCIL

---

### 8.1 **Public Hearing and approval actions related to a lease with San Jose Credit Union for property located at 88 South Fourth Street.**

**Recommendations:**

- (a) Adoption of a resolution by the City Council accepting the summary of costs and findings of the Summary 33433 Report and the Estimated Reuse Valuation pursuant to the California Health and Safety Code Section 33433 for the lease to San Jose Credit Union of approximately 2,500 square feet of City-owned ground floor retail space at 88 South Fourth Street, Suite 110/120 that is master leased to the Redevelopment Agency, and making certain findings.
- (b) The City Council and Redevelopment Agency approval of a lease with San Jose Credit Union for the property located at 88 South Fourth Street, Suite 110/120, for approximately 2,500 square feet of ground floor retail space.

## **8 JOINT REDEVELOPMENT AGENCY/COUNCIL**

---

- 8.1** (c) Adoption of a resolution by the City Council authorizing the City Manager to execute a Certificate of Nondisturbance and Attornment with San Jose Credit Union under the terms of the Master Lease between the City and the Redevelopment Agency.

CEQA: Exempt; PP05-015 [**CIVIC PLAZA**]

- 8.2** **Public Hearing and approval of actions related to an amendment to the Disposition and Development Agreement with CIM and actions related to a HUD 108 Loan.**

### **Recommendations:**

- (a) Adoption of a resolution by the City Council accepting the summary of costs and findings of the Amended Summary 33433 Report and the Estimated Reuse Valuation pursuant to the California Health and Safety Code Section 33433 for the development of the Downtown Mixed Use Project (Second/Santa Clara and Block 3) with CIM Urban Real Estate Fund, L.P.
- (b) Adoption of a resolution by the Redevelopment Agency Board approving the Third Amendment to the Disposition and Development Agreement (DDA) with CIM Urban Real Estate Fund, L.P. (CIM), reducing Agency project assistance in the Downtown Mixed Use Project by \$3,410,000; capping the Agency's responsibility for remediation expenses at \$2,500,000 and Parking Plus expenses at \$13,370,000; modifying the project description and modifying the Agency's participation formula; and authorizing the Executive Director to execute the same and to close escrow subject to compliance with the terms of the Amended DDA, and to negotiate, execute, accept and record all necessary documents, easements, agreements with adjoining property owners and amendments to the Amended DDA as reasonably necessary to conform to lender requirements and to facilitate implementation of the Amended DDA and the future conveyance and development of the Block 3 Site.
- (c) Adoption of resolutions by the City Council and Redevelopment Agency Board authorizing the City Manager and the Executive Director to execute documents with the Department of Housing and Urban Development (HUD) to borrow \$13,000,000 in Section 108 funds, accept a \$2,000,000 Brownfield Economic Development Initiative grant, and allow for the use of the Agency-owned Market/Balbach property (APNs 264-30-010 through 264-30-028 and APN 264-30-136) as collateral for the HUD Section 108 loan for the construction of Parking Plus spaces in the Downtown Mixed Use Project

## **8 JOINT REDEVELOPMENT AGENCY/COUNCIL**

---

- (d) Adoption of a resolution by the Redevelopment Agency Board approving the addition of \$1,940,000 to the Parking Plus FY 2005-06 CIP, a reduction of \$1,940,000 in the Downtown Mixed Use Projects FY 2005-06 CIP and a shift of \$500,000 from the FY 2005-06 CIP to the Adopted FY 2004-05 Capital Budget for Mixed Use Project Area Environmental Containment project line in the Merged Redevelopment Area, and amending the FY 2004-2005 Agency appropriations resolution.

CEQA: Supplemental EIR pursuant to CEQA Guidelines 15162, Resolution No. 71039.1; H04-038 [MERGED]

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