

REDEVELOPMENT AGENCY AMENDED AGENDA

JUNE 20, 2006

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
MADISON P. NGUYEN
DAVID D. CORTESE
JUDY CHIRCO
NANCY PYLE

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

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.

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."

The Agenda following this page contains 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 City Clerk or Agency's Clerk during the meeting. 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 items 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 speaker's podium.
- 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.

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 (408) 535-1260 or (408) 294-9337 (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, City Hall Tower, 18th Floor, City Hall

See Separate Agenda

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

- **Orders of the Day**

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

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

Items 8.1 – 8.7 are to be considered in a joint Redevelopment Agency Board/City Council session.

See Item 9 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 Board, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

2.1 Report of the Rules Committee – May 31, 2006.

- (a) Review June 13, 2006 Draft Agenda.
- (b) Addition of new items to the June 6, 2006 Agenda: Meeting Cancelled.
- (c) Staff Reports outstanding for June 6, 2006: as of May 31, 2006.

3. GENERAL

3.1 Progress Report on the Implementation Plan for the Strong Neighborhoods Initiative Redevelopment Project Area.

Recommendation: Public Hearing to evaluate the progress of redevelopment under the Implementation Plan and related Redevelopment Plans for the Strong Neighborhoods Initiative Project Area and approval of the Progress Report submitted by Agency staff, as submitted or as changed by the Board, as the evaluation of the progress of such redevelopment. [SNI] (Continued from 5/2/06, Item 3.1)

4. NEIGHBORHOOD IMPROVEMENT STRATEGIES

5. HOUSING

6. PUBLIC FACILITIES AND SPACES

6.1 Approval of a Reimbursement Agreement with Edison Pharmaceuticals, Inc., for tenant improvements constructed at the San Jose BioCenter.

Recommendation: Approval of a Reimbursement Agreement with Edison Pharmaceuticals, Inc., for build-to-suit tenant improvements constructed at the San Jose BioCenter in an amount equal to \$85,000, increasing the cost of the BioCenter Tenant Improvement Program from a previously approved \$1,000,000 to \$1,085,000. CEQA: Edenvale Redevelopment Project Final EIR, Resolution No. 69699 [EDENVALE]

6.2 Approval of a construction contingency increase for the Downtown Transit Mall Lighting Project.

Recommendation: Adoption of a resolution increasing the construction contingency for the Transit Mall Pedestrian Lighting Improvements Project, in an amount not to exceed \$25,000, for a total construction contingency of \$63,160, for the Transit Mall Lighting Project construction contract with Rosendin Electric, Inc. CEQA: Exempt, PP01-023. [MERGED]

7. PRIVATE DEVELOPMENT

7.1 Actions related to the facility lease and Co-Sponsorship Operating Agreements for the San Jose Entrepreneur Center located at 84 West Santa Clara Street.

Recommendation: Adoption of a resolution:

- (a) Accepting the Program Evaluation Report titled, “Independent Evaluation of the San Jose Entrepreneur Center”; and,
- * (b) Approving the first amendment to the lease for the San Jose Entrepreneur Center (E-Center) with the Redevelopment Agency and San Jose State University Foundation (SJSUF) as lessees, and Ernest and Irene Pestana as lessors, for 16,350 square feet of office space at 84 West Santa Clara Street, for a two-year term in a total amount not to exceed \$694,383; and,
- (c) Approving an Amended Co-sponsorship Operating Agreement between the Redevelopment Agency and SJSUF, which establishes the financial obligations of the Agency and SJSUF in regard to lease payments, and continues to designate SJSUF as the fiscal sponsor for the E-Center; and
- (d) Authorizing the Executive Director to negotiate and execute a Co-sponsorship Agreement or similar form of agreement with SJSUF and the U.S. Small Business Administration (SBA) which outlines SBA’s relationship with the E-Center.

CEQA: Exempt: PP05-109 [**MERGED**] [Deferred 6/28, 8/9/05, Item 7.2]

7.2 Approval of an Owner Participation Agreement with Cousins Properties to assist in the construction and opening of a grocery store in the MarketCenter on Coleman Avenue.

Recommendation:

- (a) Adoption of a resolution approving an adjustment to the Adopted FY 2005-2006 Capital Budget adding \$1,700,000 to a new project line of Cousins MarketCenter Development in the Julian Stockton Redevelopment Area, amending the FY 2005-06 Redevelopment Agency appropriations resolution.

7. PRIVATE DEVELOPMENT

- 7.2 (b) Approval of an Owner Participation Agreement with Cousins Properties, in an amount not to exceed \$1,700,000, to assist in the construction and opening of a grocery store in the MarketCenter on Coleman Avenue.
CEQA: San Jose MarketCenter EIR, PDC04-018 [MERGED]

7.3 **Approval of a Purchase and Sale Agreement with 303 Almaden Partners, L.P., for the sale of Agency-owned property at 303 Almaden Boulevard for \$9,045,000.**

* **Recommendations:**

- (a) Approval of a Purchase and Sale Agreement with 303 Almaden Partners, L.P., for the sale of Agency-owned property at 303 Almaden Boulevard for \$9,045,000.
- (b) Adoption of a resolution authorizing the Executive Director to close escrow and negotiate, execute, record and accept all documents reasonably necessary to implement the Agreement and facilitate the close escrow.
- (c) Adoption of a resolution amending the FY 2005-2006 Revenue Resolution to add \$9,045,000 to Other/Miscellaneous Revenue.
CEQA: Exempt, File No. PP06-109. [GUADALUPE-AUZERAIS]

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

See items 9.5 & 9.7 on the City Council's Agenda, which will be heard and action taken only during the Council meeting that begins at 1:30 p.m. today on items related to the Mayor's June 2006 Budget Message, and approval of the Fiscal Year 2006-2007 Operating and Capital Budgets for the City of San José and Redevelopment Agency

CONVENE CITY COUNCIL TO CONSIDER ITEM 8.1 IN A JOINT SESSION

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

8.1 Award of a contract to the low bidder for the North Almaden Ave. Streetscape Project and related actions.

Recommendations:

- (a) Adoption of a resolution by the City Council making determinations required under Redevelopment Law, Section 33445, for Redevelopment Agency funding of proposed improvements to North Almaden Avenue; and,
- (b) Adoption of a resolution by the Agency Board approving an adjustment to the Adopted FY 2005-06 Capital Budget, to reallocate \$144,000, from the existing Downtown Streetscapes line item to the Almaden Avenue Improvements in the Merged Redevelopment Area, and amending the FY 2005-06 Agency appropriations resolution, and,
- * (c) Adoption of a resolution by the Redevelopment Agency Board awarding a contract to Sposeto Engineering, Inc., Inc., the low bidder, in the amount of \$573,000 for the North Almaden Avenue Streetscape Project, and establishing a 10% project contingency in the amount of \$57,300, for a total construction budget not to exceed \$630,300.

CEQA: Exempt. File No. PP06-105 [SNI: 13th STREET]

ADJOURN CITY COUNCIL PORTION OF THE MEETING

- Closed Session Report
- Open Forum - To be heard jointly during City Council's Public Discussion.
- Adjournment