CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

REDEVELOPMENT AGENCY AGENDA

OCTOBER 16, 2007

PETE CONSTANT	DISTRICT 1		PIERLUIGI OLIVERIO	DISTRICT 6
FORREST WILLIAMS	DISTRICT 2		MADISON P. NGUYEN	DISTRICT 7
SAM LICCARDO	DISTRICT 3	CHUCK REED – CHAIR	DAVID D. CORTESE	DISTRICT 8
KANSEN CHU	DISTRICT 4		JUDY CHIRCO	DISTRICT 9
NORA CAMPOS	DISTRICT 5		NANCY PYLE	DISTRICT 10

CITY OF SAN JOSE
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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 at the City Hall Wing and the agendas and Agency Board staff reports may be viewed on the Internet at http://www.sjredevelopment.org/agendas.htm. Board meetings are televised live and rebroadcast on Channel 26.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-8500 or (408) 294-9337 (TTY) at least three business days before the meeting.

On occasion the Redevelopment Agency may consider agenda items out of order.

- Call to Order and Roll Call

  9:00 a.m. - Closed Session, Call to Order in Council Chambers
  Adjourn to Closed Session in Council Chambers Conference Room W133
  See Separate Agenda

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

  The Agency Board agenda will be considered at a time no earlier than 3:30 p.m. today, normally following conclusion of the Open Forum on the City Council's agenda.

- Open Forum - To be heard jointly during City Council's Public Discussion.
- Closed Session Report
- 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.
  See Item 9 on the City Council Agenda for description of any City Council agendized 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 and Open Government Committee – September 12, 2007. Chair Reed, Chairperson

(a) Review September 18, 2007, Final Agenda; meeting cancelled.
(b) Review September 25, 2007 Draft Agenda.
(c) Assign "Time Certain" for convening Redevelopment Agency Agenda.

2. CONSENT CALENDAR

2.2 Report of the Rules and Open Government Committee – September 19, 2007. Chair Reed, Chairperson

(a) Review September 25, 2007, Final Agenda.
(b) Review October 2, 2007 Draft Agenda.
(c) Assign "Time Certain" for convening Redevelopment Agency Agenda.

2.3 Report of the Rules and Open Government Committee – September 26, 2007. Chair Reed, Chairperson

(a) Review October 2, 2007, Final Agenda.
(b) Review October 9, 2007 Draft Agenda: Meeting Cancelled.
(c) Assign "Time Certain" for convening Redevelopment Agency Agenda.

3 GENERAL

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

5 HOUSING

6 PUBLIC FACILITIES AND SPACES

6.1 Award of a construction contract to Robert A. Bothman, Inc., for the Plata Arroyo Skatepark Project.

Recommendations: Adoption of a resolution approving the award of a construction contract to Robert A. Bothman, Inc., the lowest responsive bidder in the amount of $210,880, for the Plata Arroyo Skatepark Improvement Project located in Plata Arroyo Park, and authorizing a construction contingency in the amount of $21,088 for a total contract amount of $231,968. CEQA: Exempt, PP07-212. **[SNI: GATEWAY EAST]**

7 PRIVATE DEVELOPMENT

7.1 Approval of an agreement with the Downtown Association for the Downtown Ice Rink.

Recommendations: Approval of the first amendment to the Amended and Restated Agreement with the San Jose Downtown Association, in the amount of $30,000 for a total amount not to exceed $1,080,000, for expedited opening of the ice rink and mitigation of construction impacts in the Circle of Palms Plaza during the winter holiday season. CEQA: Exempt, File No. PP04-259. **[MERGED]**

7.2 Approval of an amendment to the OPA with First Street Associates Two pertaining to the space at 451 South First Street.

Recommendations: Approval of the first amendment to the Owner Participation Agreement (OPA) with First Street Associates Two, increasing the Agency's rent participation for up to 150 days for the leased space housing Works/San Jose, located at 451 South First Street. CEQA: Resolution No. 64273 and 68839, PP04-07-224. **[SNI]**

RECOMMEND DEFERRAL TO 10/30/07)

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

See item 9 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, for any Redevelopment-related actions on that agenda.

CONVENE CITY COUNCIL TO CONSIDER ITEMS 8.1 – 8.2 IN A JOINT SESSION

8.1 Issuance of Merged Area Redevelopment Project Tax Allocation Bonds in an aggregate amount not to exceed $225,000,000.

Recommendations:

(a) Adoption of a resolution by the Redevelopment Agency Board:

(1) Authorizing the issuance of Merged Area Redevelopment Project Tax Allocation Bonds, in two or more series (tax-exempt and taxable), in an aggregate principal amount not to exceed $225,000,000 (the 2007 Bonds); and approving in substantially final form the Eleventh Supplemental Indenture of Trust with Union Bank, as Trustee; and,

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

8.1

(2) Authorizing the competitive sale of the 2007 Bonds; and,

(3) Approving in substantially final form the Preliminary Official Statement (POS), Notice of Intention to Sell Bonds and Official Notices Inviting Bids and authorizing Agency staff to distribute the POS; and,

(4) Authorizing all officers, agents and employees to take such actions and execute such documents necessary and desirable to accomplish issuance of the 2007 Bonds; and,

(5) Authorizing the Executive Director to purchase municipal bond insurance and surety bonds for the 2007 Bonds, and to purchase a surety bond to replace the funded reserve for outstanding Series 2003.

(b) Adoption of a resolution by the City Council approving the issuance of Merged Area Redevelopment Project Tax Allocation Bonds, in two or more series (tax-exempt and taxable), in an aggregate principal amount not to exceed $225,000,000.

CEQA: Not a project.

8.2 Award of a construction contract for construction of a parking lot for the Guadalupe River Park.

Recommendations:

(a) Adoption of a resolution by the City Council making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Agency funding of improvements for public and service access and parking for the Guadalupe River Park.

(b) Adoption of a resolution by the Redevelopment Agency Board approving the award of a construction contract to Joseph J. Albanese Inc., the low bidder, in the amount of $789,963; and authorizing a construction contingency in the amount of $118,494, for construction of a parking lot for the GRP with access from Santa Clara and St. John Streets.

CEQA: Downtown Strategy 2000 EIR, Resolution No. 72767. **[MERGED]**
(Deferred 10/2/07, Item 8.2)

ADJOURN CITY COUNCIL PORTION OF THE MEETING

- Adjournment

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

   a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
   b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
   c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
   d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
   e) Persons in the audience will not place their feet on the seats in front of them.
   f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
   g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

   a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
      - No objects will be larger than 2 feet by 3 feet.
      - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
      - The items cannot create a building maintenance problem or a fire or safety hazard.
   b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)

c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
b) Meeting attendees are usually given two minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.