

REDEVELOPMENT AGENCY AMENDED AGENDA

JUNE 26, 2007

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
Vacant
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED – CHAIR

PIERLUIGI OLIVERIO
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 generally 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**

9:00 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, immediately 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 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.

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. CONSENT CALENDAR

2.1 Approval of Board Meeting Minutes.

Recommendation: Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of May 15, 2007

2.2 Report of the Rules Committee – June 6, 2007.

Chair Reed, Chairperson

- (a) Addition of new items to the June 12, 2007.
- (b) Review June 19, 2007 Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

2.3 Approval of the second amendment to the agreement with Earth Tech for monitoring of the Japantown Corporation Yard.

Recommendation: Approval of the second amendment to the agreement with Earth Tech, in the amount of \$141,120 for a total contract amount of \$239,129, for environmental testing, assessment and monitoring on City-owned property known as the Japantown Corporation Yard, generally bounded by 6th, 7th, Jackson, and Taylor Streets, and extending the term by one year to November 3, 2008. CEQA: Exempt. [JAPANTOWN]

2.4 Approval of an amendment to the Property Use Agreement with Artist’s Theater Repertory Ensemble.

Recommendations:

- (a) Approval of the first amendment to Property Use Agreement with Artist’s Theater Repertory Ensemble (dba Theater on San Pedro Square (TOSPS)) to modify the parameters of the community use of the facility and to establish a security fee to protect the Agency’s collateral in the project.
- (b) Adoption of a resolution approving an adjustment to the FY 2006-07 Adopted Capital Budget by reallocating \$36,000 from the Downtown Business Improvement Pool to the Competitive Capital Art Fund project line, in the Merged Redevelopment Area, and amending the FY 2006-2007 Agency appropriations resolution.

CEQA: Exempt. File No. PP07-126 [SNI]

2. CONSENT CALENDAR

2.5 Approval of OPAs for properties located at 2035-2041 Woodard Road and 2045-2059 Woodard Road.

Recommendations: Approval of Owner Participation Agreements for two properties in the Union and Camden area of the Neighborhood Business Cluster Redevelopment Project Area with:

- (a) Salvatore Campagna, Lena Campagna and Judith Lopina, owners of the commercial property located at 2035-2041 Woodard Road, in the amount of \$88,385, including a construction contingency amount of \$8,035, for parking lot improvements; and,
- (b) Howard and Jean Spinner, owners of the adjacent commercial building and parking lot located at 2045-2059 Woodard Road, in the amount of \$88,385, including a construction contingency amount of \$8,035, for parking lot improvements.

CEQA: Exempt. File No. PP07-112. [NEIGHBORHOOD BUSINESS CLUSTER]

2.6 Approval of an agreement with HMH Engineers for engineering consulting services for a North First Street Plan Line Study.

Recommendation: Approval of an agreement with HMH Engineers, in an amount not to exceed \$150,000, for engineering consulting services associated with the design of a North First Street Plan Line Study in the Rincon de Los Esteros Redevelopment Project Area. CEQA: Exempt. File No. PP07-127 [RINCON DE LOS ESTEROS]

3. GENERAL

3.1 Approval of an agreement with the San Jose Downtown Association.

Recommendation: Approval of an agreement with the San Jose Downtown Association, in an amount not to exceed \$525,000, for promotional and marketing services and public space programming for the period July 1, 2007, through June 30, 2008. [MERGED]

4. NEIGHBORHOOD IMPROVEMENT STRATEGIES

5. HOUSING

6. PUBLIC FACILITIES AND SPACES

6.1 Approval of amendments to agreements related to the Edenvale Community Center.

Recommendations:

- (a) Approval of the first amendment to the agreement with Carrier Johnson Architects for architectural services for the Edenvale Community Center, in the amount of \$1,015,240 for a total contract amount not to exceed \$1,315,240, amending the contract terms to include design development drawings, construction documents and bid support; extending the term of the agreement and schedule of performance by 14 months to August 30, 2008; and,
- (b) Approval of the first amendment to the agreement with Gilbane Building Company for pre-construction management services for the Edenvale Community Center, in the amount of \$300,000 for a total contract amount not to exceed \$400,000, amending the contract terms to include design development, construction document and bid phases; extending the term of the agreement and schedule of performance by 14 months to August 30, 2008.

CEQA: Not a project. This agreement is for consultant design services, and upon completion of design development, the project will be the subject of an Initial Study to satisfy the requirements of CEQA. [EDENVALE]

6.2 Awarding of the Parkside Hall Roof Improvements Project contract.

Recommendation: Adoption of a resolution delegating authority to the Executive Director to award a contract to the lowest responsive bidder and authorizing a construction contingency in an amount not to exceed 10% of the contract amount for construction of the Parkside Hall Roof Improvements Project, for a total construction cost not to exceed \$600,000 including the contingency, or to reject all bids if an award cannot be made. CEQA: Exempt. File No. PP07-125. [MARKET GATEWAY]

6. PUBLIC FACILITIES AND SPACES

6.3 Approval of the third amendment to the agreement with Bill Gould Design Art & Architecture for the Starbird Teen Center Project.

Recommendation: Approval of the third amendment to the agreement with Bill Gould Design Art & Architecture for the Starbird Teen Center Project, amending the contract term and schedule of performance to extend the term of the agreement one additional year, through June 30, 2008; and amending the compensation schedule to shift \$5,000 from existing Additional Services funds to Basic Services funds to increase the total compensation for Task 8 - LEED Documentation to \$15,500, for an adjusted total Basic Services compensation amount of \$333,809 and an adjusted total Additional Services compensation amount of \$29,881, and a total contract amount of \$363,690. Exempt, PP05-049. [BLACKFORD SNI]

7. PRIVATE DEVELOPMENT

7.1 Authorization for the Executive Director to purchase equipment, furniture, and supplies for the San Jose BioCenter.

Recommendation: Adoption of a resolution by the Redevelopment Agency Board authorizing the Executive Director to purchase miscellaneous equipment, furniture, and supplies related to the operations of the biology, chemistry analytics and common laboratories at the San Jose BioCenter, in a cumulative amount not to exceed \$12,500. CEQA: Not A Project [EDENVALE]

7.2 Approval of an amendment to the Sublease with the San Jose State University Research Foundation to operate the San Jose BioCenter.

* **Recommendation:** Approval of the second amendment to the Sublease and Co-Sponsorship Operating Agreement with the San Jose State University Research Foundation (SJSURF) for operation and management of the San Jose BioCenter, to amend the Sublease to (i) relieve the SJSURF of its obligation to pay the monthly base rent for the BioCenter from September 2006 through June 2008 in the total amount of \$805,068, (ii) require the Agency to pay the monthly base rent during such period, and (iii) require the SJSURF to implement a fundraising strategy for the BioCenter.
CEQA: Not a project. [EDENVALE]

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

See item 9 on the [City Council's Agenda](#), for actions related to “Investment Management Activities,” “FY 2007-08 Cooperation Agreements,” and the “FY 2007-08 Appropriations Resolution,” which will be heard and action taken only during the Council meeting that begins at 1:30 p.m. today.

CONVENE CITY COUNCIL TO CONSIDER ITEMS 8.1 – 8.3 IN A JOINT SESSION

8.1 [Approval of an Amended and Restated Cooperation Agreement with the Mexican Heritage Corporation.](#)

Recommendation: Redevelopment Agency Board and City Council approval of the Amended and Restated Cooperation Agreement with the Mexican Heritage Corporation, related to a \$1,000,000 grant from the State of California Historical and Cultural Resources Preservation Opportunity Grant Program, clarifying the roles and responsibilities of each party in bidding and awarding contracts and for distribution of funds from the State grant program. CEQA: Not a project. [ALUM ROCK]

8.2 [Approval of an Exclusive Negotiations Agreement for development of the Japantown Corporation Yard and Parking Lot project.](#)

Recommendation: City Council and Redevelopment Agency Board approval of an Exclusive Negotiations Agreement with First Community Housing and Williams & Dame, for the development of the Japantown Corporation Yard and Parking Lot project generally located at Sixth and Taylor Streets, with a term through December 26, 2008. CEQA: Exempt. File No. PP-07-086. [JAPANTOWN]

8.3 [City Council and Redevelopment Agency Board actions related to agreements, amendments or termination of the following child care facility agreements.](#)

Recommendations:

- (a) City Council and Redevelopment Agency Board approval of an agreement with Charities Housing for child care, providing for an Agency contribution of \$500,000 toward Charities Housing’s renovation of a portion of the Paseo Senter Plaza housing development and for Charities Housing’s covenants to operate the renovated portions with Smart Start operating standards; and,

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

- 8.3 (b) City Council and Redevelopment Agency Board approval of an agreement with MACSA for child care, providing an Agency contribution of \$500,000 towards MACSA's renovation of a portion of the MACSA Youth Center and for MACSA's covenants to operate the renovated portions with Smart Start operating standards; and,
- (c) City Council and Redevelopment Agency Board approval of an amendment to the terms of the agreement with SJB (formerly San Juan Bautista) Child Care Development pertaining to the Child Development Center at Terrylin Avenue at no additional cost; and,
- (d) City Council and Redevelopment Agency Board approval to terminate the agreement with Kidango, in the amount of \$410,670, pertaining to child development services at Arbuckle Elementary; and,
- (e) City Council and Redevelopment Agency Board approval to terminate the agreement with SJB (formerly San Juan Bautista) Child Care Development, in the amount of \$150,000, for the Child Development Center located at Cassel Elementary School.
- * CEQA: Charities Housing Childcare Agreement: Addendum to a Negative Declaration for Paseo Senter at Coyote Creek File No. PDC03-057 & PP07-138. MACSA Childcare Agreement: Exempt. File No. PP07-140. San Juan Bautista Childcare at Terrilyn Agreement Amendment: Not a project. Kidango Childcare Agreement Termination: Not a project. San Juan Bautista Childcare at Cassel Elementary Agreement Termination: Not a project. **[MERGED]**

ADJOURN CITY COUNCIL PORTION OF THE MEETING

- Adjournment