

REDEVELOPMENT AGENCY AMENDED AGENDA

SEPTEMBER 11, 2007

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
KANSEN CHU
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 speakers 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>. Board meetings are televised live and rebroadcast on Channel 26.

To request an accommodation for attendance at this meeting or an alternate agenda format, such as, Braille, large print, audio recording or accessible electronic format, please call (408) 535-8500 or (408) 294-9337 (TTY) if you do not have your own TTY, as soon as possible, but 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**
9:30 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, 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.

2.1 Report of the Rules Committee – August 15, 2007.

Chair Reed, Chairperson

- (a) Addition of new items to the August 21, 2007, Meeting Cancelled..
- (b) Review August 28, 2007 Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

2.2 Report of the Public Safety, Finance and Strategic Support Committee – August 16, 2007.

Chair Nguyen, Chairperson

“d. Redevelopment Agency Monthly Financial Reports for June 2007.”

3 GENERAL

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

5 HOUSING

5.1 Approval of the award of a construction contract to FERMA Corporation for demolition of the former Stephen's Meats building.

Recommendation: Adoption of a resolution approving the award of a construction contract to FERMA Corporation, the low bidder, in the amount of \$182,700, for demolition of the former Stephen's Meats building located at 105 S. Montgomery Street, and authorizing a construction contingency in the amount of \$36,540. CEQA: Addendum to the Final Environmental Impact Report on the Baseball Stadium in the Diridon/Arena Area, February 28, 2007, Resolution No. 07-009; File No. H07-029 [MERGED] [Supplemental](#) [Public Comment](#)

6 PUBLIC FACILITIES AND SPACES

6.1 Approval of an amendment to the lease agreement for office space at 111 West St. John, and an amendment to the sublease with the SDForum.

Recommendation:

- (a) Approval of the Third Amendment to the Master Lease for office space at 111 W St. John St., Suite 200, with Community Towers I, LLC; Community Towers II, LLC; Community Towers III, LLC; and Community Towers IV, LLC, each a Delaware limited liability company, for two years at \$158,382 for the first year and \$164,717 for the second year for a total amount not to exceed \$340,000 including Common Area Management fees, with three options to extend the lease for a period of 12 months each at 95% of fair market value; and,
- (b) Approval of the Second Amendment to the Sublease of the Premises with the SDForum to extend the term and provide additional Agency oversight of operations.

CEQA: Not a project. [MERGED]

7 PRIVATE DEVELOPMENT

7.1 Approval of a Facade Improvement Program Agreement for the Sainte Claire Hotel at 302 South Market Street.

Recommendation: Approval of a Facade Improvement Program Agreement, in the amount of \$300,000, including a construction contingency in the amount of \$30,000, with Sainte Claire Hotel, LLC, for the Sainte Claire Hotel located at 302 South Market Street. CEQA: Exempt. File No. HPA01-007-01. [MARKET GATEWAY] (Deferred 8/28/07, Item 7.1)

* [RECOMMEND DEFERRAL TO OCTOBER 23, 2007]

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

See item 9.1 on the [City Council's Agenda](#), for action related to “Pilot Strip Mall,” 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 ITEM 8.1 IN A JOINT SESSION

8.1 Direction to the Executive Director and City Manager to enter into agreements to enable Cirque du Soleil to occupy the former San Jose Water Company property located at Santa Clara Street and Delmas Avenue, and related fiscal actions.

Recommendation:

- (a) Adoption of a resolution by the Agency Board:
 - (1) Directing the Executive Director to negotiate agreements necessary to enable Cirque du Soleil to occupy the former San Jose Water Company property located on Santa Clara Street and Delmas Avenue, including property use agreements with Adobe Systems as owners of the property and property use agreements with Cirque du Soleil, and utility relocation agreements with PG&E, AT&T, and Comcast Cable.
 - (2) Adding \$400,000 to the 1st Act Small Wonders Program new project line in the Merged Redevelopment Area, and amending the FY 2007-2008 Agency appropriations resolution. [Supplemental](#)
- (b) Adoption of a resolution by the City Council directing the City Manager to negotiate agreements necessary to enable Cirque du Soleil to occupy the former San Jose Water Company property, including the waiver of parking fees for Adobe Systems at the Market Street Garage.

CEQA: Not a Project. The negotiated agreements and Planned Development Permit will undergo environmental review prior to any Agency or City approval actions. **[MERGED]** (Deferred 8/28/07, Item 8.2) (DROP)

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

8.2 Public Hearing on the Agency's FY 2007-2008 Capital Budget and 2008-2012 Capital Improvement Program.

Recommendation: Joint Public Hearing on the Redevelopment Agency's Proposed FY 2007-2008 Capital Budget and 2008-2012 Capital Improvement Program.

[TO BE HEARD IN THE EVENING]

ADJOURN CITY COUNCIL PORTION OF THE MEETING

- Adjournment