

REDEVELOPMENT AGENCY SYNOPSIS

DECEMBER 9, 2008

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

Call to Order and Roll Call

1:49 p.m. - Regular Session, Council Chambers, City Hall

- Open Forum
- Closed Session Report
None.
- Orders of the Day
The Orders of the Day were approved.

1 CEREMONIAL ITEMS

None

2 CONSENT CALENDAR

2.1 Report of the Public Safety, Finance and Strategic Support Committee – November 20, 2008.

Boardmember Nguyen, Chairperson

“b.i-iii. Redevelopment Agency Monthly Financial Reports for September 2008.

Approved

2.2 Report of the Rules and Open Government Committee – November 5, 2008. Chair Reed, Chairperson

- (a) Review November 11, 2008, Final Agenda: Meeting cancelled.
- (b) Review November 18, 2008, Draft Agenda.
- (c) Review November 17, 2008, Draft Capital Budget Study Session Agenda.
- (d) Assign “Time Certain” for convening Redevelopment Agency Agenda.

Approved

2.3 Report of the Rules and Open Government Committee – November 12, 2008. Chair Reed, Chairperson

- (a) Review November 18, 2008, Final Agenda.
- (b) Review November 25, 2008, Draft Agenda: Meeting cancelled.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

Approved

2 CONSENT CALENDAR

2.4 Report of the Rules and Open Government Committee – November 19, 2008. Chair Reed, Chairperson

- (a) Review November 25, 2008, Final Agenda: Meeting cancelled.
- (b) Review December 2, 2008, Draft Agenda: Meeting cancelled.

Approved

2.5 Approval of Master Agreements for civil engineering and for construction management services.

Recommendations:

- (a) Approval of a Master Agreement with Kitchell Corporation in the amount of \$100,000 for construction management services for two years; and,

Approved.

- (b) Approval of the third amendment to the Master Agreement with Bellecci & Associates, Inc., in the amount of \$100,000 for a total contract amount not to exceed \$350,000, for civil engineering services, and extending the term of the agreement by one year, though April 30, 2010; and,

Approved.

- (c) Adoption of a resolution adjusting the FY 2008-09 Adopted Capital Budget adding \$200,000 to the Project Support Studies project line in the Merged Redevelopment Area and amending the FY 2008-2009 Agency appropriations resolution.

Agency Resolution 5875 adopted.

CEQA: Not a project. **[MERGED]**

2.6 Approval of a Settlement Agreement and Release, with GIP Fairmont, LLC and 150 South First Street, LLC, related to the Pavilion Garage.

Recommendation: Adoption of a resolution approving a Settlement Agreement and Release, which incorporates a Parking Operations Plan for the Pavilion Garage, with GIP Fairmont, LLC and 150 South First Street, LLC, considered by the Agency during the Closed Session held on September 23, 2008, in which the parties will dismiss their lawsuits against each other in exchange for the execution of such Parking Operations Plan for the Pavilion Garage. **[SAN ANTONIO PLAZA]**

Agency Resolution 5876 adopted.

3 GENERAL

None

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

4.1 Approval of a FIP Agreement for the building at 409 South Second Street.

Recommendation: Approval of a Facade Improvement Program (FIP) Agreement with Tuyen Ngoc Vu, in the amount of \$330,000, including a construction contingency in the amount of \$30,000, for non-structural facade improvements to the building located at 409 South Second Street and whose tenant is the BoTown restaurant. CEQA: Downtown Strategy 2000 Final EIR, Resolution No. 72767. File Number PP07-260. [MERGED]
Approved.

5 HOUSING

None

6 PUBLIC FACILITIES AND SPACES

None

7 PRIVATE DEVELOPMENT

7.1 Approval of the business terms for the proposed San Pedro Square Urban Market and direction to staff.

Recommendation: Approval of business terms for the proposed San Pedro Square Urban Market and direction to staff to prepare an Owner Participation Agreement for Board consideration in early 2009. CEQA: Resolution No 72767, File No. PP08-114. [JULIAN-STOCKTON/SNI]
Approved.

7 PRIVATE DEVELOPMENT

7.2 Approval of a Reimbursement Agreement with Brocade to assist in acquisition of capital equipment for its headquarters facility.

Recommendation: Adoption of a resolution approving a Reimbursement Agreement with Brocade Communications Systems, Inc., (Brocade) for up to \$4 million to assist in acquisition of capital equipment to be installed in its industrial headquarters facility in the Rincon de Los Esteros Redevelopment Project Area, and making certain findings required by California Redevelopment Law. CEQA: Final EIR North San Jose Area Development Plan Policies Update, Resolution No. 72768 and Addenda thereto, File No H07-018. **[RINCON DE LOS ESTEROS] Agency Resolution 5877 adopted.**

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

Item 9.1 on the City Council's Agenda relating to "North San Jose Area Development Policy" was heard during the Council meeting that began at 1:30 p.m. today.

The City Council convened at 1:49 p.m. to consider Items 8.1 – 8.3 in a Joint Session.

8.1 Public Hearing and City Council and Redevelopment Agency Board approval of the Mayor's Redevelopment Budget Message.

Recommendation: City Council and Redevelopment Agency Board consideration and approval of the Mayor's Redevelopment Agency Budget Message. (Mayor)

Approved

8.2 Approval of the Agency's FY 2008-09 Amended Capital Budget and 2009-2013 CIP.

Recommendations: Redevelopment Agency Board approval of:

(a) The Amended Capital Budget for FY 2008-09 for the Redevelopment Agency and,

Approved.

(b) The Two-Year Spending Plan ending FY 2009-2010 for the Redevelopment Agency of the City of San Jose.

Approved.

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

8.3 Acceptance of the proposed San Jose McEnery Convention Center expansion schematic design.

Recommendation: Acceptance by the City Council and Redevelopment Agency Board of the recommended schematic design for the proposed San Jose McEnery Convention Center expansion and direction for the Agency to proceed with design development of the project based on a budget estimate of \$300,000,000. CEQA: Resolution No. 72767. **[MERGED]**
Accepted.

The City Council portion of the meeting adjourned at 4:28 p.m.

- **Adjournment**
The Redevelopment Agency Board adjourned at 4:28 p.m.