

# REDEVELOPMENT AGENCY MINUTES

**AUGUST 26, 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

**4:44 p.m.** - Regular Session, Council Chambers, City Hall

**Absent: Constant, Campos (Both excused)**

- Open Forum
- Closed Session Report
- Orders of the Day

The Orders of the Day were approved. (9-0-2) Absent: Constant, Campos.

## 1 CEREMONIAL ITEMS

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None

## 2 CONSENT CALENDAR

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### 2.1 Report of the Rules and Open Government Committee – August 6, 2008.

**Chair Reed, Chairperson**

- (a) Addition of new items to the August 12, 2008.
- (b) Review August 19, 2008 Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

Documents Filed: Report of the Rules and Open Government Committee of August 6, 2008.

Action: The Rules and Open Government Committee report and actions of August 6, 2008, were approved. (9-0-2) Absent: Constant, Campos.

## 3 GENERAL

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### 3.1 Presentation of the Quarterly Projects Status Report.

**Recommendation:** Acceptance of the Redevelopment Agency’s Quarterly Projects Status Report for the Fourth Quarter, FY 2007-08.

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated August 14, 2008, recommending acceptance of the Fourth Quarter, FY 2007-08 Report on Agency projects

Action: The Report was accepted. (9-0-2) Absent: Constant, Campos.

## **4 NEIGHBORHOOD IMPROVEMENT STRATEGIES**

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None

## **5 HOUSING**

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None

## **6 PUBLIC FACILITIES AND SPACES**

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None

## **7 PRIVATE DEVELOPMENT**

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None

## **8 JOINT REDEVELOPMENT AGENCY/COUNCIL**

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*No Redevelopment-related actions were discussed on the City Council agenda today.*

The City Council convened at 4:51 p.m. to consider Items 8.1 – 8.4 in a Joint Session.

### **8.1 City Council and Agency Board actions related to award of a contract for construction of the SoFA Sidewalk Demonstration Project.**

#### **Recommendation:**

- (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 the proposed improvements to the SoFA Sidewalk Demonstration Project; and,
- (b) Approval by the Redevelopment Agency Board to award a contract to the lowest responsive bidder and authorize a construction contingency in an amount not to exceed 10% of the contract amount for construction of the SoFA Sidewalk Demonstration Project, for a total construction cost not to exceed \$600,000 including the contingency.

CEQA: Resolution No 72767, File No. PP08-119. **[MARKET GATEWAY]**  
(Deferred 6/24/08, Item 8.3)

**Deferred to 9/23/08**

## **8 JOINT REDEVELOPMENT AGENCY/COUNCIL**

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### **8.2 Award of a construction contract for construction of improvements on the site surrounding the San Jose McEnery Convention Center South Hall.**

#### **Recommendations:**

- (a) Adoption of a resolution by the City Council making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Redevelopment Agency funding of City-owned improvements.
- (b) Approval of the award of a construction contract to Joseph J. Albanese, Inc., the low bidder, for construction of improvements on the site surrounding the South Hall, in the amount of \$294,000, and authorizing a construction contingency in the amount of \$44,100 or 15% of the contract amount, for a total funding authorization of \$338,100.

CEQA: Exempt, File No. PP08-167. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated August 14, 2008, recommending: a) adoption of a resolution by the by the City Council making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Redevelopment Agency funding of City-owned improvements, and b) approval of the award of a construction contract to Joseph J. Albanese, Inc., for construction of improvements on the site surrounding the South Hall.

Action: Council Resolution No. 74569 adopted. The Agency Board awarded a construction contract to Joseph J. Albanese, Inc.. (8-0-3) Absent: Constant, Campos, Williams.

### **8.3 Acceptance of an update on the Convention Center Phase 1 Expansion Project.**

**Recommendation:** Acceptance of the update on the schematic design for the renovation and expansion of the San Jose McEnery Convention Center. CEQA: Not a project. **[MERGED]**

**Deferred to 9/23/08**

## **8 JOINT REDEVELOPMENT AGENCY/COUNCIL**

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### **8.4 Approval of an amendment to the DDA with Imwalle Properties for the Site located at 1696 Story Road and 1101 South King Road and making certain findings.**

#### **Recommendation:**

- (a) Adoption of a resolution by the City Council accepting the 33433 Summary Report and Reuse Valuation and finding that the sale of the property located at 1696 Story Road and 1101 South King Road will assist in the elimination of blight, is consistent with the Implementation Plan for the Story Road Redevelopment Project Area, and that the consideration for the property is not less than the fair reuse value for the proposed use, with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA).
- (b) Approval by the Redevelopment Agency Board of the first amendment to the DDA with Imwalle Properties for the properties located at 1696 Story Road and 1101 South King Road to assist with unexpected environmental costs, in an amount not to exceed \$800,000 and to provide for cost sharing related to unexpected environmental remediation costs.

CEQA: Mitigated Negative Declaration. File No, PP02-017 and Addenda thereto, File No. PP08-163. **[STORY ROAD]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated August 14, 2008, recommending: a) adoption of a resolution by the by the City Council accepting the 33433 Summary Report and Reuse Valuation and finding that the sale of the property located at 1696 Story Road and 1101 South King Road will assist in the elimination of blight, is consistent with the Implementation Plan for the Story Road Redevelopment Project Area, and that the consideration for the property is not less than the fair reuse value for the proposed use, with the covenants and conditions and development costs authorized by the DDA, and b) approval by the Agency Board of the first amendment to the DDA with Imwalle Properties for the properties at 1696 Story Road and 1101 South King Road.

*(Item continued on the next page)*

## **8 JOINT REDEVELOPMENT AGENCY/COUNCIL**

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**8.4** Public Comments: Don Imwalle spoke in support of Item 8.4.

Action: Council Resolution No. 74570 adopted. The Agency Board approved the first amendment to the DDA with Imwalle Properties. (8-0-3) Absent: Constant, Campos, Williams.

**The City Council portion of the meeting adjourned at 4:56 p.m.**

- **Adjournment**  
**The Redevelopment Agency Board adjourned at 4:56 p.m.**

**ATTEST:**

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**HARRY S. MAVROGENES, SECRETARY**