

REDEVELOPMENT AGENCY BOARD

MINUTES

January 11, 2005

LINDA J. LE ZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES CHAIR

KEN YEAGER
TERRY GREGORY
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 Board members and Chairperson.

This Agenda contains both a Consent Calendar section for routine business items requiring Board approval, and general business items arranged to correspond to the Agency's Core Service Areas. The Core 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 Core 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 speak to the Board about items on the agenda by submitting a Speaker's Card to the Agency's Clerk seated at the front table. If you wish to address the Board about an issue that is not on the Board agenda, you may speak during the "Open Forum" during the City Council's meeting. The Board is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act), items must first be noticed on the agenda before any discussion or action. Tips for speaking to the Board:

- **Please submit a Blue Speaker's Card before the meeting or before the item is heard.** This ensures that your name is called for item(s) you wish to address, and that 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 Board from the large podium located to the left of the Clerk's table.
- 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.
- There are three lights to assist you with tracking your speaking time. They are located to the far right of the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and, the red light comes on when your speaking time is up.

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's Board meets on Tuesdays, following the City Council meeting at 1:30 p.m. Agendas of future meetings are posted immediately outside City Hall's main entrance and at: www.sjredevelopment.org.

CALL TO ORDER AND ROLL CALL

Mayor Ron Gonzales called the meeting to order at 6:00 p.m.

**PRESENT: GONZALES, CAMPOS, CHAVEZ, CHIRCO, CORTESE,
GREGORY, LEZOTTE, PYLE, REED, YEAGER, WILLIAMS.**

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.

Item 2.5 is to be moved and renumbered as 8.3 for consideration during the Joint City Council/Redevelopment Agency portion of the meeting.

Item 2.6 is recommended for deferral to January 25, 2005.

See Item 10 on the City Council Agenda for description of any City Council agenda items relating to the Redevelopment Agency.

Action: The Orders of the Day were approved. MSC (11-0-0).

1 CEREMONIAL ITEMS

NONE.

2 CONSENT CALENDAR

2.1 Approval of Board Meeting Minutes:

Recommendation: Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of November 16, 2004
- (b) Regular meeting of November 30, 2004

Documents Filed: The Redevelopment Agency Minutes of November 16 and November 30, 2004.

Action: Minutes of the Redevelopment Agency meeting of November 16 and November 30, 2004 were approved. MSC (11-0-0).

2 CONSENT CALENDAR (Continued)

2.2 Report of the Rules Committee – December 1, 2004.

- (a) Review December 14, 2004 Draft Agenda.
- (b) Addition of new items to the December 7, 2004 Agenda.

Document Filed: The Agency Rules Committee Report of December 1, 2004.

Action: The Agency Rules Committee Report of December 1, 2004 was approved. MSC (11-0-0).

2.3 Report of the Rules Committee – December 8, 2004.

- (a) Review December 21, 2004 Draft Agenda: Dropped for holiday closure.
- (b) Addition of new items to the December 14, 2004 Agenda.

Document Filed: The Agency Rules Committee Report of December 8, 2004.

Action: The Agency Rules Committee Report of December 8, 2004 was approved. MSC (11-0-0).

2.4 Report of the Rules Committee – December 15, 2004.

- (a) Review January 11, 2005 Draft Agenda.
- (b) Addition of new items to the December 21, 2004 Agenda: Dropped for holiday closure.

Document Filed: The Agency Rules Committee Report of December 15, 2004.

Action: The Agency Rules Committee Report of December 15, 2004 was approved. MSC (11-0-0).

2.5 Award of a contract to Bianchi Construction Inc., the low bidder, for construction of the Tully Road Soundwall Extension Project.

Recommendations:

- (a) Adoption of a resolution by the City Council making determinations consistent with the Health and Safety Code Section 33445; and,
- (b) Adoption of a resolution by the Agency Board awarding a construction contract to Bianchi Construction Inc., the low bidder, for the Tully Road Soundwall Extension Project, for a total contract amount of \$88,272.56, and authorizing a construction contingency in the amount of \$8,828.

CEQA: Exempt, PP04-298.

Moved and renumbered as Item 8.3

2 CONSENT CALENDAR (Continued)

2.6 Approval of the acquisition of portions of property located at 990 South King Road and 1703 Story Road, for a proposed streetscape.

Recommendation: Approval of a Purchase and Sale Agreement with The Hoady Family LLC, a California Limited Liability Company, in the amount of \$110,330 plus related closing costs, for the acquisition of a portion of 990 South King Road (APN: 481-38-019) and 1703 Story Road (APN: 481-38-008), for a proposed streetscape for the Story Road Redevelopment Project Area. CEQA: Mitigated ND.

Item 2.6 was deferred to January 25, 2005.

3 GENERAL

3.1 Acceptance of Agency Financial Reports

- (a) Monthly Financial Statements – November 2004
- (b) Capital Cost Report – November 2004
- (c) Cash Flow Projection - November 2004

Documents Filed: Memorandum from Executive Director dated January 11, 2005 recommending the approval of the Redevelopment Agency Monthly Financial Statements for November 2004. Memorandum from Executive Director dated January 11, 2005 recommending the acceptance of the Capital Cost Report for November 2004. Memorandum from Executive Director dated January 11, 2005 recommending the acceptance of the Cash Flow Projection for November 2004.

Action: The Agency Financial Reports for November 2004 were approved. MSC (10-1-0). Noes: LeZotte.

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

NONE.

5 HOUSING

NONE.

6 PUBLIC FACILITIES AND SPACES

6.1 Approval of the acquisition of property at 1101 South King Road, for development of the southwest corner of Story and King Roads.

Recommendation: Approval of a Purchase and Sale Agreement with Albert and Lily Toy, in the amount of \$2,203,470 plus related closing costs, for the acquisition of 1101 South King Road (APN: 486-10-068), for development of the southwest corner of Story and King Roads. CEQA: Mitigated ND.

Documents Filed: Memorandum from Executive Director dated January 11, 2005 recommending the approval of the acquisition of property at 1101 South King Road, for development of the southwest corner of Story and King Roads.

Action: A Purchase and Sale Agreement with Albert and Lily Toy, in the amount of \$2,203,470 plus related closing costs, for the acquisition of 1101 South King Road (APN: 486-10-068), for development of the southwest corner of Story and King Roads was approved. MSC (10-0-1). Abstain: Gregory.

7 PRIVATE DEVELOPMENT

NONE.

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

8.1 Approval of an amendment to the City of San Jose Policy on Implementation of the Inclusionary Housing Requirement.

Recommendation: Adoption of resolutions by the City Council and Agency Board clarifying that the City's Policy on Inclusionary Housing requires that the payment of the in-lieu fee on for-sale Small Housing Projects be based on twenty percent of the project's total units.

Documents Filed: Memorandum from Executive Director dated January 11, 2005 recommending the approval of an amendment to the City of San Jose Policy on Implementation of the Inclusionary Housing Requirement.

Discussion: Public testimony was received from Mr. William Garbett.

8 JOINT REDEVELOPMENT AGENCY/COUNCIL (Continued)

Item 8.1 – Continued

Action: Agency Resolution No. 5572 was adopted clarifying that the City’s Policy on Inclusionary Housing requires that the payment of the in-lieu fee on for-sale Small Housing Projects be based on twenty percent of the project’s total units. City Council Resolution No. 72484 was adopted. MSC (11-0-0).

8.2 City Council and Redevelopment Agency actions for the award of a contract to Watkin & Bortolussi, the low bidder, for the Winchester Boulevard Tree Planting Project.

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 streetscape work in the Winchester Strong Neighborhoods Initiative Redevelopment Area.
- (b) Adoption of a resolution by the Redevelopment Agency Board awarding a contract to Watkin & Bortolussi, the low bidder, in the amount of \$181,570 and establishing a contingency in the amount of \$18,157 for the Winchester Boulevard Tree Planting Project.

CEQA: Exempt; PP03-03-079.

Documents Filed: Memorandum from Executive Director dated January 11, 2005 recommending actions for the award of a contract to Watkin & Bortolussi, the low bidder, for the Winchester Boulevard Tree Planting Project.

Actions: City Council Resolution No. 72485 was adopted making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Agency funding of streetscape work in the Winchester Strong Neighborhoods Initiative Redevelopment Area. MSC (11-0-0). Agency Resolution No. 5573 was adopted awarding a contract to Watkin & Bortolussi, the low bidder, in the amount of \$181,570 and establishing a contingency in the amount of \$18,157 for the Winchester Boulevard Tree Planting Project. MSC (11-0-0).

8 JOINT REDEVELOPMENT AGENCY/COUNCIL (Continued)

8.3 Award of a contract to Bianchi Construction Inc., the low bidder, for construction of the Tully Road Soundwall Extension Project.

Recommendations:

- (a) Adoption of a resolution by the City Council making determinations consistent with the Health and Safety Code Section 33445; and,
- (b) Adoption of a resolution by the Agency Board awarding a construction contract to Bianchi Construction Inc., the low bidder, for the Tully Road Soundwall Extension Project, for a total contract amount of \$88,272.56, and authorizing a construction contingency in the amount of \$8,828.

CEQA: Exempt, PP04-298.

Documents Filed: Memorandum from Executive Director dated January 11, 2005 recommending the award of a contract to Bianchi Construction Inc., the low bidder, for construction of the Tully Road Soundwall Extension Project.

Actions: City Council Resolution No. 72486 was adopted making determinations consistent with the Health and Safety Code Section 33445. MSC (11-0-0). Agency Resolution No. 5574 was adopted awarding a construction contract to Bianchi Construction Inc., the low bidder, for the Tully Road Soundwall Extension Project, for a total contract amount of \$88,272.56, and authorizing a construction contingency in the amount of \$8,828. MSC (11-0-0).

CLOSED SESSION REPORT

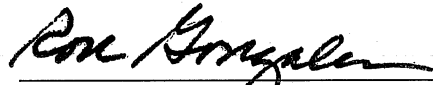
NONE.

OPEN FORUM

NONE.

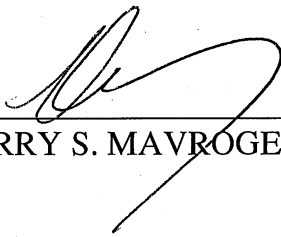
ADJOURNMENT

The meeting was adjourned at 6:06 p.m.



RON GONZALES, CHAIR

ATTEST:



HARRY S. MAVROGENES, SECRETARY