

# **REDEVELOPMENT AGENCY BOARD**

## **MINUTES**

**March 1, 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  
VACANT  
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](http://www.sjredevelopment.org).

## **CALL TO ORDER AND ROLL CALL**

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Mayor Ron Gonzales called the meeting to order at 4:49 p.m.

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

**ABSENT: CAMPOS, WILLIAMS.**

**VACANT: DISTRICT 7 SEAT.**

## **ORDERS OF THE DAY**

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**Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.**

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

Action: The Orders of the Day were approved. MSC (8-0-2).

Absent: Campos, Williams.

### **1 CEREMONIAL ITEMS**

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NONE.

### **2 CONSENT CALENDAR**

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#### **2.1 Report of the Rules Committee – February 9, 2005.**

- (a) Review February 22, 2005 Draft Agenda: Meeting Cancelled
- (b) Addition of new items to the February 15, 2005 Agenda.
- (c) Staff Reports Outstanding for the February 15, 2005 Agenda.

Document Filed: The Agency Rules Committee Report of February 9, 2005.

Action: The Agency Rules Committee Report of February 9, 2005 was approved. MSC (8-0-2). Absent: Campos, Williams.

### 3 GENERAL

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#### 3.1 Acceptance of Agency Financial Reports

- (a) Monthly Financial Statements – January 2005
- (b) Capital Cost Report – January 2005
- (c) Cash Flow Projection - January 2005

Documents Filed: Memorandum from Executive Director dated March 1, 2005 recommending the approval of the Redevelopment Agency Monthly Financial Statements for January 2005. Memorandum from Executive Director dated March 1, 2005 recommending the acceptance of the Capital Cost Report for January 2005. Memorandum from Executive Director dated March 1, 2005 recommending the acceptance of the Cash Flow Projection for January 2005.

Action: The Agency Financial Reports for January 2005 were approved. MSC (7-1-2). Noes: LeZotte. Absent: Campos, Williams.

### 4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

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NONE.

### 5 HOUSING

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#### 5.1 Approval of the First Amendment to the Ground Lease between the Agency and Century Residential LLC, amending the Ground Lease to change the site's legal description and clarify certain provisions.

**Recommendations:** Adoption of a resolution approving the First Amendment to the Ground Lease between the Agency and Century Residential LLC, amending the Ground Lease to change the legal description of the site to reflect a lot line adjustment, clarifying certain provisions contained therein, and authorizing the Executive Director to make additional minor changes reasonably requested by Century Residential LLC's prospective lender or future lenders. CEQA: Resolution No. 67721.

Documents Filed: Memorandum from Executive Director dated March 1, 2005 recommending the approval of the First Amendment to the Ground Lease between the Agency and Century Residential LLC, amending the Ground Lease to change the site's legal description and clarify certain provisions.

## 5 HOUSING

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Item 5.1 – Continued

Action: Agency Resolution No. 5585 was adopted approving the First Amendment to the Ground Lease between the Agency and Century Residential LLC, amending the Ground Lease to change the legal description of the site to reflect a lot line adjustment, clarifying certain provisions contained therein, and authorizing the Executive Director to make additional minor changes reasonably requested by Century Residential LLC's prospective lender or future lenders. MSC (8-0-2). Absent: Campos, Williams.

## 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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### 8.1 **Public Hearing and approval of actions related to the approval of a Disposition and Development Agreement with Wilcox Block, LLC, for the sale, rehabilitation and reuse of the Crescent Site, located at 93-99 S. First St. and 17-31 W. San Fernando St and related budget actions.**

#### **Recommendations:**

- (a) Adoption of a resolution by the City Council accepting the 33433 Summary Report and Re-Use Appraisal, and finding that the disposition of the Crescent Site, located at 93-99 South First Street and 17-31 West San Fernando Street (APN 259-40-064) to Wilcox Block, LLC, will assist in the elimination of blight, is consistent with the Pueblo Uno Redevelopment Project Area objectives, and that the consideration for the property is not less than the fair reuse value for the proposed uses, with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA).

Item 8.1 – Continued

- (b) Adoption of a resolution by the Redevelopment Agency Board approving a DDA with Wilcox Block, LLC, and authorizing the Executive Director to execute the DDA and ancillary documents contemplated by the DDA, to close escrow subject to compliance with the terms of the DDA, and to negotiate and execute amendments to the DDA substantially in conformance with the intent of the DDA and as reasonably necessary to conform to lender requirements.
- (c) Adoption of a resolution by the Redevelopment Agency Board approving additional revenue of \$200,000 to the Adopted 2004-2005 Capital Budget Other/Miscellaneous Revenue.

CEQA: Resolution No. 71039.1, PP04-321.

Documents Filed: Memorandum from Executive Director dated March 1, 2005 recommending a Public Hearing and approval of actions related to the approval of a Disposition and Development Agreement with Wilcox Block, LLC, for the sale, rehabilitation and reuse of the Crescent Site, located at 93-99 S. First St. and 17-31 W. San Fernando St and related budget actions.

Actions: City Resolution No. 72560 was adopted accepting the 33433 Summary Report and Re-Use Appraisal, and finding that the disposition of the Crescent Site, located at 93-99 South First Street and 17-31 West San Fernando Street (APN 259-40-064) to Wilcox Block, LLC, will assist in the elimination of blight, is consistent with the Pueblo Uno Redevelopment Project Area objectives, and that the consideration for the property is not less than the fair reuse value for the proposed uses, with the covenants and conditions and development costs authorized by the Disposition and Development Agreement (DDA).

Agency Resolution No. 5586 was adopted approving a DDA with Wilcox Block, LLC, and authorizing the Executive Director to execute the DDA and ancillary documents contemplated by the DDA, to close escrow subject to compliance with the terms of the DDA, and to negotiate and execute amendments to the DDA substantially in conformance with the intent of the DDA and as reasonably necessary to conform to lender requirements.

Agency Resolution No. 5587 was approved approving additional revenue of \$200,000 to the Adopted 2004-2005 Capital Budget Other/Miscellaneous Revenue.

MSC (8-0-2). Absent: Campos, Williams.

**8 JOINT REDEVELOPMENT AGENCY/COUNCIL (Continued)**

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**8.2 City Council and Redevelopment Agency Board approval of actions related to the California Redevelopment Association/Education Revenue Augmentation Fund Loan Program.**

**Recommendations:**

- (a) Adoption of a resolution by the Redevelopment Agency Board approving an Amended and Restated Joint Exercise of Powers Agreement relating to the California Statewide Communities Development Authority, allowing the Agency to participate in the California Redevelopment Association/Education Revenue Augmentation Fund (CRA/ERAF) Loan Program.
- (b) Adoption of a resolution by the City Council reporting to the County Auditor the Agency's intent to fund its ERAF payment in the amount of \$18,626,954 with funds borrowed from the CRA/ERAF Loan Program.

Documents Filed: Memorandum from Executive Director and City Manager dated March 1, 2005 recommending City Council and Redevelopment Agency Board approval of actions related to the California Redevelopment Association/Education Revenue Augmentation Fund Loan Program.

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

Actions: Agency Resolution No. 5588 was adopted approving an Amended and Restated Joint Exercise of Powers Agreement relating to the California Statewide Communities Development Authority, allowing the Agency to participate in the California Redevelopment Association/ Education Revenue Augmentation Fund (CRA/ERAF) Loan Program.

City Resolution No. 72561 was adopted reporting to the County Auditor the Agency's intent to fund its ERAF payment in the amount of \$18,626,954 with funds borrowed from the CRA/ERAF Loan Program. MSC (8-0-2). Absent: Campos, Williams.

**CLOSED SESSION REPORT**

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NONE.

**OPEN FORUM**


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NONE.

**ADJOURNMENT**

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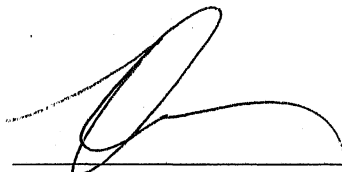
The meeting was adjourned at 4:52 p.m.



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RON GONZALES, CHAIR

ATTEST:



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HARRY S. MAVROGENES, SECRETARY