CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

REDEVELOPMENT AGENCY MINUTES

OCTOBER 2, 2007

PETE CONSTANT	DISTRICT 1		PIERLUIGI OLIVERIO	DISTRICT 6
FORREST WILLIAMS	DISTRICT 2		MADISON P. NGUYEN	DISTRICT 7
SAM LICCARDO	DISTRICT 3	CHUCK REED – CHAIR	DAVID D. CORTESE	DISTRICT 8
KANSEN CHU	DISTRICT 4		JUDY CHIRCO	DISTRICT 9
NORA CAMPOS	DISTRICT 5		NANCY PYLE	DISTRICT 10

Call to Order and Roll Call

5:03 p.m. - Regular Session, Council Chambers, City Hall

- Open Forum –

  None.

- Closed Session Report

  None.

- Orders of the Day

  The Orders of the Day were approved. Item 8.2"Award of a construction contract for construction of a parking lot for the Guadalupe River Park" was deferred to October 16, 2007. (10-0-1) Absent: Campos**.**

1 CEREMONIAL ITEMS

None

2 CONSENT CALENDAR

2.1 Report of the Rules and Open Government Committee – September 5, 2007.
Chair Reed, Chairperson

(a) Addition of new items to the September 11, 2007.
(b) Review September 18, 2007 Draft Agenda.
(c) Assign "Time Certain" for convening Redevelopment Agency Agenda.

Documents Filed: Report of the Rules and Open Government Committee of September 5, 2007.

Action: The Rules and Open Government Committee report and actions of September 5, 2007, were approved. (10-0-1) Absent: Campos**.**

2.2 Report of the Public Safety, Finance and Strategic Support Committee – September 20, 2007.
Chair Nguyen, Chairperson

"5. Redevelopment Agency Monthly Financial Reports for July 2007."

Documents Filed: Report of the Public Safety, Finance and Strategic Support Committee, of September 20, 2007, with the Agency's Monthly Financial Reports for July 2007 attached.

Action: The Public Safety, Finance and Strategic Support Committee report and actions of September 20, 2007, were accepted. (10-0-1) Absent: Campos**.**

2. CONSENT CALENDAR

2.3 Approval of Board Meeting Minutes.

Recommendation: Approval of Redevelopment Agency Minutes for:
(a) Regular meeting of August 28, 2007

Documents Filed: Regular minutes of August 28, 2007.

Action: The Redevelopment Agency minutes were approved. (10-0-1) Absent: Campos**.**

2.4 Approval of an amendment to the agreement with Anderson Tree Care.

Recommendation: Approval of the first amendment to the agreement with Anderson Tree Care, in the amount of $50,000 for a total contract amount not to exceed $145,000, for Tree Establishment Services, and extending the term of the agreement by four months to October 31, 2008. CEQA: Exempt. File No. PP07-188. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 20, 2007, recommending approval of the first amendment to the agreement with Anderson Tree Care for Tree Establishment Services.

Action: The Redevelopment Agency Board approved the first amendment to the agreement with Anderson Tree Care. (10-0-1) Absent: Campos**.**

2.5 Approval of an amendment to the agreement with EDS.

Recommendation: Approval of the sixth amendment to the agreement with Economic Development Systems (EDS), in the amount of $100,000 for a total contract amount not to exceed $400,000, for retail recruitment services in Downtown Redevelopment Project Areas, Neighborhood Business Districts and in SNI areas, and extending the agreement by one year through December 31, 2008. **[MERGED]**

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2. CONSENT CALENDAR

(Cont'd)

2.5 Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 20, 2007, recommending approval of the sixth amendment to the agreement with EDS for retail recruitment services in Downtown Redevelopment Project Areas, Neighborhood Business Districts and in SNI areas.

Action: The Redevelopment Agency Board approved the sixth amendment to the agreement with EDS. (10-0-1) Absent: Campos**.**

3 GENERAL

3.1 Approval of the Five-Year Implementation Plan for the Strong Neighborhoods Initiative.

Recommendation: Public Hearing and adoption of a resolution approving the FY 2007-08 – FY 2011-12 Five-Year Implementation Plan for the Strong Neighborhoods Initiative (SNI) pursuant to sections 33490 of the California Health and Safety Code. CEQA: SNI Program FEIR, Resolution No. 71045, adopted June 11, 2002. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 18, 2007, recommending a Public Hearing followed by adoption of a resolution approving the FY 2007-08 – FY 2011-12 Five-Year Implementation Plan for the Strong Neighborhoods Initiative.

Action: Agency Resolution No. 5785 adopted. (11-0)

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

None

5 HOUSING

None

6 PUBLIC FACILITIES AND SPACES

6.1 Award of a construction contract for improvements to the Fallon House.

Recommendation: Adoption of a resolution awarding a construction contract to CRW Industries, the low bidder in the amount of $295,176, and authorizing a 20% construction contingency in the amount of $59,000, for a total construction budget not to exceed $354,176, for construction of improvements to the Fallon House. CEQA: Exempt. File No. PP07-197. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 20, 2007, recommending adoption of a resolution awarding a construction contract to the low bidder and authorizing a construction contingency for construction of improvements to the Fallon House. Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 25, 2007, recommending adoption of a resolution awarding a construction contract to CRW Industries, the low bidder in the amount of $295,176, and authorizing a 20% construction contingency in the amount of $59,000, for a total construction budget not to exceed $354,176, for construction of improvements to the Fallon House.

Action: Agency Resolution No. 5786 adopted. (11-0)

7 PRIVATE DEVELOPMENT

7.1 Amendment of the Signage Grant Program affecting all Redevelopment Areas.

Recommendation: Adoption of a resolution amending the Signage Grant Program to include all commercial uses, including office uses, including those above the first floor, and in buildings located in all Redevelopment Project Areas. CEQA: Exempt, PP07-030. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 20, 2007, recommending adoption of a resolution amending the Downtown Signage Grant Program to include all commercial and office uses, including those above the first floor and in buildings located in all Redevelopment Project Areas. Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 26, 2007, clarifing the specific changes to be made in the amendment of the Signage Grant Program.

Action: Agency Resolution No. 5787 adopted. (11-0)

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

Items 9.1 and 9.2 on the City Council's Agenda, related to "Strong Neighborhoods Update" and "Small Wonders work plan," were heard and action taken during the Council meeting at 1:30 p.m.

City Council convened at 5:05 p.m.

8.1 Adoption of resolutions pertaining to the Agency's FY 2007-2008 Capital Budget and Five-Year Capital Improvement Program.

Recommendations: Adoption of resolutions by the City Council and Agency Board pertaining to the Agency's annual budgets and public improvements as follows:

(a) Adoption of resolutions by the Redevelopment Agency Board:
   (1) Amending the FY 2007-2008 Capital Budget; and,
   (2) Adopting the FY 2008-2012 Capital Improvement Program; and,
   (3) Amending the FY 2007-08 Appropriations Resolution and Revenue Resolution to reflect various modifications to the FY 2007-08 Revenue, Capital Budget.

(b) Adoption of a resolution by the City Council making certain determinations regarding the expenditure of Agency funds on public improvements in the FY 2007-08 Capital Budget.

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 20, 2007, recommending adoption of a resolution by the Agency Board amending the FY 2007-2008 Capital Budget; adopting the FY 2008-2012 Capital Improvement Program; and amending the FY 2007-08 Appropriations Resolution and Revenue Resolution to reflect various modifications to the FY 2007-08 Revenue, Capital Budget; and recommending adoption of a resolution by the City Council making certain determinations regarding the expenditure of Agency funds on public improvements in the FY 2007-08 Capital Budget. Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 1, 2007, addressing additional funding directed in the FY 2008-2012 Capital Improvement Program for the Fire Station #2 Project.

Action: Agency Resolution No.s 5788, 5789 and 5790 adopted. City Council Resolution No. 74044 adopted. (11-0).

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

8.2 Award of a construction contract for construction of a parking lot for the Guadalupe River Park.

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 improvements for public and service access and parking for the Guadalupe River Park.

(b) Adoption of a resolution by the Redevelopment Agency Board approving the award of a construction contract to Joseph J. Albanese Inc., the low bidder, in the amount of $789,963; and authorizing a construction contingency in the amount of $118,494, for construction of a parking lot for the GRP with access from Santa Clara and St. John Streets.

CEQA: To be determined. **[MERGED]**

Action: Deferred under Orders of the Day to October 16, 2007. (11-0)**.**

8.3 Approval of the First Amendment to the Disposition and Development Agreement with City Front Square, LLC and Casa Del Pueblo, LP.

Recommendations:

(a) Adoption of a resolution by the Redevelopment Agency Board approving the First Amendment to the Disposition and Development Agreement (Amendment) with City Front Square, LLC and Casa Del Pueblo, LP. (Collectively "Developer") and authorizing the Executive Director to execute ancillary documents as contemplated by the Amendment.

(b) Adoption of a resolution by the City Council accepting the summary of costs and findings of the Summary 33433 Report pursuant to the California Health and Safety Code Section 33433 for the sale and development of Block 8, located at 281 South First Street under the terms and conditions of the First Amendment to the Disposition and Development Agreement.

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8. JOINT REDEVELOPMENT AGENCY/COUNCIL

(Cont'd)

8.3 (c) Rescission by the City Council of the current executed Public Art Agreement between the Developer and the City of San Jose and authorizing the payment of Public Art fees directly to the Office of Cultural Affairs by the Developer per the terms of the Amendment.

CEQA: San Jose Downtown Strategy 2000 EIR, Resolution 72767. **[SAN ANTONIO PLAZA]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated September 20, 2007, recommending adoption of a resolution by the Redevelopment Agency Board approving the First Amendment to the Disposition and Development Agreement (Amendment) with City Front Square, LLC and Casa Del Pueblo, LP.; adoption of a resolution by the City Council accepting the summary of costs and findings of the Summary 33433 Report pursuant to the California Health and Safety Code Section 33433 for the sale and development of Block 8; and rescission by the City Council of the executed Public Art Agreement between the Developer and the City of San Jose and authorizing the payment of Public Art fees directly to the Office of Cultural Affairs by the Developer.

Action: Agency Resolution No. 5791 adopted. City Council Resolution No. 74045 adopted. The City Council rescinded the executed Public Art Agreement between the Developer and the City of San Jose and authorized the payment of Public Art fees directly to the Office of Cultural Affairs by the Developer. (11-0)**.**

City Council adjourned at 5:09 p.m.

- Adjournment

  The Redevelopment Agency Board adjourned at 5:09 p.m.

ATTEST:

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HARRY S. MAVROGENES, SECRETARY