

REDEVELOPMENT AGENCY MINUTES

OCTOBER 23, 2007

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3 CHUCK REED – CHAIR
DISTRICT 4
DISTRICT 5

PIERLUIGI OLIVERIO DISTRICT 6
MADISON P. NGUYEN DISTRICT 7
DAVID D. CORTESE DISTRICT 8
JUDY CHIRCO DISTRICT 9
NANCY PYLE DISTRICT 10

Call to Order and Roll Call

9:01 a.m. - Closed Session, Council Chambers Conference Room W133

6:37 p.m. - Regular Session, Council Chambers, City Hall

Absent: Oliverio (Excused)

- **Open Forum**
None.
- **Closed Session Report**
None.
- **Orders of the Day**
The Orders of the Day were approved. (9-0-2) Absent: Oliverio, Constant.

1 CEREMONIAL ITEMS

None

2 CONSENT CALENDAR

2.1 Report of the Rules and Open Government Committee – October 3, 2007. Chair Reed, Chairperson

- (a) Review October 9, 2007, Agenda: Meeting Cancelled
- (b) Review October 16, 2007 Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

Documents Filed: Report of the Rules and Open Government Committee of October 3, 2007.

Action: The Rules and Open Government Committee report and actions of October 3, 2007, were approved. (9-0-2) Absent: Oliverio, Constant.

2.2 Approval of Board Meeting Minutes.

Recommendation: Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of September 11, 2007.
- (b) Regular meeting of September 25, 2007.

Documents Filed: Regular minutes of September 11 and September 25, 2007.

Action: The Redevelopment Agency minutes were approved. (9-0-2) Absent: Oliverio, Constant.

2. CONSENT CALENDAR

2.3 Approval of an amendment to the agreement with EarthTech, Inc., for work at 105 South Montgomery Street.

Recommendation: Approval of the second amendment to the agreement with EarthTech, Inc., in the amount \$27,160 for a total contract amount of \$132,160, for the preparation of engineering plans and specifications for a proposed parking lot at the former Stephen's Meats site at 105 South Montgomery Street, and extending the term of the agreement by six months to June 28, 2008. CEQA: Addendum to the Final Environmental Impact Report on the Baseball Stadium in the Diridon/Arena Area, February 28, 2007, Resolution No. 07-009; File No. H07-029. [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 11, 2007, recommending approval of the second amendment to the agreement with EarthTech, Inc.

Action: The Redevelopment Agency Board approved the second amendment to the agreement with EarthTech, Inc. (9-0-2) Absent: Oliverio, Constant.

2.4 Approval of an amendment to the agreement with Fehr and Peers Inc., for parking analyses.

Recommendation: Approval of the third amendment to the agreement with Fehr and Peers, Inc., in the amount of \$100,000 for a total amount not to exceed \$197,090, to assist in development of a parking analysis for the Convention Center expansion project, The Alameda Business District parking study and continued services in connection with the Downtown Parking Management Plan 2006/2007 Update. CEQA: Downtown Strategy 2000 EIR, Resolution 72767. [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 11, 2007, recommending approval of the third amendment to the agreement with Fehr and Peers, Inc.

Public Comments: Peter Kolstad spoke in support of Item 2.4 - Convention Center Expansion with neighborhood protections.

Action: The Redevelopment Agency Board approved the third amendment to the agreement with Fehr and Peers, Inc. (8-0-3) Absent: Cortese, Oliverio, Pyle.

3 GENERAL

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

5 HOUSING

6 PUBLIC FACILITIES AND SPACES

6.1 Approval of the first amendment to the agreement with Ken Kay Associates for design development services and acceptance of funds from 1st ACT Silicon Valley.

Recommendations:

- (a) Approval of the first amendment to the agreement with Ken Kay Associates, in the amount of \$310,000 for a total amount not to exceed \$350,000, to develop design development plans for the demonstration project sidewalk improvements along South First Street in the SoFA area and to develop a “Use of Public Realm Handbook” to supplement the Downtown Streetscape Master Plan; and,
- (b) Approval of the Agreement to Contribute Funds with 1st ACT Silicon Valley, allowing acceptance of its contribution of \$150,000 toward the development of design development plans and development of the “Use of Public Realm Handbook.”

CEQA: Downtown Strategy 2000 EIR, Resolution 72767.

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 11, 2007, recommending approval of the first amendment to the agreement with Ken Kay Associates, and approval of the Agreement to Contribute Funds with 1st ACT Silicon Valley.

(Item continued on the next page)

6. PUBLIC FACILITIES AND SPACES

(Cont'd)

6.1 Action: The Redevelopment Agency Board approved the first amendment to the agreement with Ken Kay Associates, and the Agreement to Contribute Funds with 1st ACT Silicon Valley. (8-0-3) Absent: Cortese, Oliverio, Pyle.

6.2 **Approval of a Continued, Amended and Restated Agreement with Bellecci & Associates for civil engineering services.**

Recommendation: Approval of a Continued, Amended and Restated Agreement with Bellecci and Associates, Inc., for civil engineering services for the Guadalupe River Park Parking Lot, decreasing the compensation in the amount of \$23,000, for a total revised amount of \$87,000, and extending the term of the agreement by one year, through June 30, 2008. CEQA: Downtown Strategy 2000 EIR, Resolution No. 72767. File No. PP07-223. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 11, 2007, recommending approval of a Continued, Amended and Restated Agreement with Bellecci and Associates, Inc.

Public Comments: William Garbett spoke in opposition to Item 6.2.

Action: The Redevelopment Agency Board approved the Continued, Amended and Restated Agreement with Bellecci and Associates, Inc. (8-0-3) Absent: Cortese, Oliverio, Pyle.

7 PRIVATE DEVELOPMENT

7.1 **Approval of a Purchase and Sale Agreement for the Plaza Hotel located at 96 South Almaden Street.**

Recommendation: Approval of a Purchase and Sale Agreement with Amrat K. Patel and Madhu C. Kuverji, as Trustees of the Kuverji Revocable Trust dated November 11, 2005, in the amount of \$1,950,000 plus related closing costs, for the acquisition of real property commonly known as the Plaza Hotel located at 96 South Almaden Street. CEQA: Downtown Strategy 2000 EIR, Resolution 72767. **[ALMADEN GATEWAY]**

(Item continued on the next page)

7. PRIVATE DEVELOPMENT

(Cont'd)

- 7.1** Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 9, 2007, recommending approval of a Purchase and Sale Agreement with Amrat K. Patel and Madhu C. Kuverji, as Trustees of the Kuverji Revocable Trust dated November 11, 2005, for the acquisition of real property located at 96 South Almaden Street.

Action: The Redevelopment Agency Board approved a Purchase and Sale Agreement with Amrat K. Patel and Madhu C. Kuverji, as Trustees of the Kuverji Revocable Trust dated November 11, 2005. (9-0-2) Absent: Cortese, Oliverio.

- 7.2** **Approval of a Facade Improvement Program Agreement for the Sainte Claire Hotel at 302 South Market Street.**

Recommendation: Approval of a Facade Improvement Program Agreement, in the amount of \$330,000, including a construction contingency in the amount of \$30,000, with Sainte Claire Hotel, LLC, for the Sainte Claire Hotel located at 302 South Market Street. CEQA: Exempt. File No. HPA01-007-01. **[MARKET GATEWAY]** (Deferred 8/28, 9/11/07, Item 7.1)

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated August 16, 2007, recommending approval of a Facade Improvement Program Agreement with Sainte Claire Hotel, LLC, for the Sainte Claire Hotel located at 302 South Market Street.

Public Comments: William Garbett spoke in opposition to Item 7.2.

Action: The Redevelopment Agency Board approved the Facade Improvement Program Agreement with Sainte Claire Hotel, LLC. (9-0-2) Absent: Cortese, Oliverio.

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

City Council convened at 6:44 p.m.

8.1 Approval of an agreement with Royston Hanamoto Alley & Abey for landscape architectural and construction phase services.

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 public improvements for the Guadalupe River Park and Gardens Heritage Plaza Project.
- (b) Redevelopment Agency Board approval of a consultant agreement with Royston Hanamoto Alley & Abey, in the amount of \$50,400, for landscape architectural and construction phase services in connection with the Guadalupe River Park and Gardens Heritage Plaza Project
CEQA: Addendum to Downtown Strategy 2000 EIR, Resolution 72767, File No. PP07-226. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 11, 2007, recommending 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 public improvements for the Guadalupe River Park and Gardens Heritage Plaza Project and Redevelopment Agency Board approval of a consultant agreement with Royston Hanamoto Alley & Abey.

Public Comments: William Garbett spoke in opposition to Item 8.1.

Action: Council Resolution No. 74073 was adopted. The Redevelopment Agency Board approved the consultant agreement with Royston Hanamoto Alley & Abey. (9-0-2) Absent: Cortese, Oliverio.

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

8.2 Approval of a Relocation Plan for the proposed Diridon Mixed-use Site assembly area.

Recommendation: Adoption of resolutions by the City Council and Agency Board approving a Relocation Plan for the proposed Diridon Mixed-use Site assembly, generally bounded by West San Fernando Street, Park Avenue, the Union Pacific Railroad tracks and South Autumn Street. CEQA: Downtown Strategy 2000 EIR, Resolution 72767. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 9, 2007, recommending adoption of resolutions by the City Council and Agency Board approving a Relocation Plan for the proposed Diridon Mixed-use Site assembly.

Action: City Council Resolution No. 74074 adopted. Agency Resolution No. 5794 adopted. (9-0-2) Absent: Cortese, Oliverio.

City Council adjourned at 6:45 p.m.

- **Adjournment**
The Redevelopment Agency Board adjourned at 6:45 p.m.

ATTEST:

HARRY S. MAVROGENES, SECRETARY