



REDEVELOPMENT AGENCY BOARD

MINUTES

NOVEMBER 6, 2007

PETE CONSTANT
FORREST WILLIAMS
SAM T. 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

9:02 a.m. - Closed Session, Council Chambers Conference Room W133

4:25 p.m. - Regular Session, Council Chambers, City Hall

Absent: Constant (Excused)

- **Open Forum –**

None.

- **Closed Session Report**

None.

- **Orders of the Day**

The Orders of the Day were approved. Item 7.1 “OPA with First Street Associates Two,” was deferred to November 20, 2007. Item 8.3 “Award of a construction contract for construction of a parking lot for the Guadalupe River Park” was deferred to December 11, 2007. (10-0-1) Absent: Constant.

1 CEREMONIAL ITEMS

None

2 CONSENT CALENDAR

2.1 Report of the Rules and Open Government Committee – October 10, 2007.

Chair Reed, Chairperson

- (a) Review October 16, 2007, Final Agenda.
- (b) Review October 23, 2007 Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

Documents Filed: Report of the Rules and Open Government Committee of October 10, 2007.

Action: The Rules and Open Government Committee report and actions of October 10, 2007, were approved. (10-0-1) Absent: Constant.

2.2 Report of the Rules and Open Government Committee – October 17, 2007.

Chair Reed, Chairperson

- (a) Review October 23, 2007, Final Agenda.
- (b) Review October 30, 2007 Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

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2. CONSENT CALENDAR

(Cont'd)

- 2.2** Documents Filed: Report of the Rules and Open Government Committee of October 17, 2007.

Action: The Rules and Open Government Committee report and actions of October 17, 2007, were approved. (10-0-1) Absent: Constant.

- 2.3** **Approval of Board Meeting Minutes.**

Recommendation: Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of October 2, 2007
- (b) Regular meeting of October 16, 2007

Documents Filed: Regular minutes of October 2 and October 16, 2007.

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

- 2.4** **Report of the Public Safety, Finance and Strategic Support Committee – October 18, 2007.**

Chair Nguyen, Chairperson

“3.a-c. Redevelopment Agency Monthly Financial Reports for August 2007.”

7.b. Acceptance of the Comprehensive Annual Financial Report for Fiscal Year 2006–2007, ending June 30, 2007.”

Documents Filed: Report of the Public Safety, Finance and Strategic Support Committee, of October 18, 2007, with the Agency’s Monthly Financial Reports for August 2007 attached.

Action: The Public Safety, Finance and Strategic Support Committee report and actions of October 18, 2007, were accepted. (10-0-1) Absent: Constant.

2. CONSENT CALENDAR

2.5 Acceptance of the Comprehensive Annual Financial Report for FY 2006-2007.

Recommendation: Acceptance of the Comprehensive Annual Financial Report for Fiscal Year 2006–2007, ending June 30, 2007. [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 9, 2007, recommending acceptance of the Comprehensive Annual Financial Report by the Public Safety, Finance and Strategic Support Committee and referred by the PSFSS Committee for Board approval.

Action: The Redevelopment Agency Board accepted the Comprehensive Annual Financial Report accepted and submitted by the Public Safety, Finance and Strategic Support Committee. (10-0-1) Absent: Constant.

2.6 Approval of an amendment to the agreement with Reliasys, Inc., to assist in a software version upgrade.

Recommendation: Approval of the first amendment to the agreement with Reliasys, Inc., in the amount of \$75,000 for a total amount not to exceed \$174,000, to assist in a software version upgrade and to provide enhancements for the Agency's financial system software. CEQA: Not a project. [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 25, 2007, recommending approval of the first amendment to the agreement with Reliasys, Inc.

Action: The Redevelopment Agency Board approved the first amendment to the agreement with Reliasys, Inc. (10-0-1) Absent: Constant.

3 GENERAL

3.1 Acceptance of the FY 2007–08 First Quarter Report on capital projects.

Recommendation: Acceptance of the Redevelopment Agency's FY 2007–08 First Quarter Report on the status of the Agency's capital projects.

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3. GENERAL

(Cont'd)

- 3.1 Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated October 25, 2007, recommending acceptance of the First Quarter, FY 2007-08, capital projects report.

Action: The report was accepted. (10-0-1) Absent: Constant.

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

5 HOUSING

6 PUBLIC FACILITIES AND SPACES

7 PRIVATE DEVELOPMENT

- 7.1 **Approval of an amendment to the OPA with First Street Associates Two pertaining to the space at 451 South First Street.**

Recommendations: Approval of the first amendment to the Owner Participation Agreement (OPA) with First Street Associates Two for the WORKS gallery at 451 S. First Street, amending the OPA to increase the amount of the Agency payments over the next 14 months and providing the Agency an option to terminate the OPA prior to expiration of the term. CEQA: Not a project. [SNI] (Deferred 10/16/07, Item 7.2)

Deferred to 11/20/07

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

Items 9.1 and 9.2 on the City Council's Agenda, related to "Inclusionary Housing Plan" and "Greater Gardner Neighborhood Improvement Plan," were heard and action taken during the Council meeting at 1:30 p.m.

City Council convened at 4:35 p.m.

8.1 Approval of a Reimbursement Agreement with SoloPower for acquisition of capital equipment and Employment Training Panel Funds.

Recommendations: Adoption of resolutions by:

- (a) The Redevelopment Agency Board approving a Reimbursement Agreement with SoloPower, Inc., in an amount not to exceed \$715,000, for acquisition of capital equipment to be installed in SoloPower's industrial and manufacturing headquarters facility in the Edenvale Redevelopment Project Area and making certain findings.
- (b) The City Council directing the City Manager to have the Office of Economic Development pursue Employment Training Panel Funds, in the amount of \$100,000, to support the workforce development efforts of SoloPower.

CEQA: Edenvale Redevelopment Project Area Final EIR, Resolution No. 67245, File No. SP07-068. [EDENVALE]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated October 25, 2007, recommending adoption of a resolution by the Agency Board approving a Reimbursement Agreement with SoloPower, Inc., and adoption of a resolution by the City Council directing the City Manager to have the Office of Economic Development pursue Employment Training Panel Funds to support the workforce development efforts of SoloPower.

Public Comments: Homayoun Talieh, SoloPower Inc., spoke in support of Item 8.1.

Action: Agency Resolution No. 5797 adopted. Council Resolution No. 74101 adopted. (10-0-1) Absent: Constant.

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

8.2 Award of a contract for demolition of the Japantown Corporation Yard.

Recommendation: Adoption of a resolution approving the award of a construction contract to Randazzo Enterprises, Inc., the lowest responsive bidder in the amount of \$186,857, and authorizing a 20% construction contingency in the amount of \$37,371, for a total construction budget not to exceed \$224,228, for the demolition of the Japantown Corporation Yard Buildings. CEQA: Resolution No. 64990, Japantown EIR, File No. PP 07-224. **[JAPANTOWN]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated October 25, 2007, recommending award of a construction contract to the low bidder for demolition of the former City of San Jose Japantown Corporation Yard buildings, located at Sixth and Taylor Streets, and authorizing a construction contingency of 15%. Supplemental memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated October 25, 2007, recommending award of a construction contract to Randazzo Enterprises, Inc., and authorizing a construction contingency of 20% for the demolition of the Japantown Corporation Yard Buildings.

Public Comments: William Garbett spoke in support of Item 8.2.

Action: Agency Resolution No. 5798 adopted. (10-0-1) Absent: Constant.

8.3 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.

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8. JOINT REDEVELOPMENT AGENCY/COUNCIL

(Cont'd)

- 8.3 (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: Downtown Strategy 2000 EIR, Resolution No. 72767 and Addendum thereto. File No. PP07-223. **[MERGED]** (Deferred 10/2, 10/16/07, Item 8.2)

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated September 20, 2007, recommending (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 and (b) adoption of a resolution by the Redevelopment Agency Board approving the award of a construction contract to Joseph J. Albanese Inc., for construction of a parking lot for the GRP.

Deferred to 12/11/07 but subsequently referred to the 12/4/07 Agenda by the Rules and Open Government Committee for rejection of all bids.

City Council adjourned at 4:40 p.m.

- **Adjournment**

The Redevelopment Agency Board adjourned at 4:40 p.m.

ATTEST:



HARRY S. MAVROGENES, SECRETARY