



REDEVELOPMENT AGENCY MINUTES

AUGUST 28, 2007

PETE CONSTANT
FORREST WILLIAMS
SAM 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
7:09 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. Items 7.1 and 8.2 deferred for two weeks to September 11, 2007. (10-0-1) Absent: Constant.

1 CEREMONIAL ITEMS

None

2 CONSENT CALENDAR

2.1 Report of the Rules and Open Government Committee – August 8, 2007. Chair Reed, Chairperson

- (a) Addition of new items to the August 14, 2007 Agenda.
- (b) Review August 21, 2007 Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

Documents Filed: Report of the Rules and Open Government Committee of August 8, 2007.

Action: The Rules and Open Government Committee report and actions of August 8, 2007, were accepted. (10-0-1) Absent: Constant.

2.2 Approval of an amendment to the agreement with Jones and Stokes for preparation of federal environmental clearance documents.

Recommendation: Approval of the third amendment to the agreement with Jones and Stokes, in the amount of \$5,000 for a total contract amount of \$150,000, for the preparation of federal environmental clearance documents to enable the receipt of federal funds for construction of water and sewer infrastructure in support of the North San Pedro Housing Project, generally bounded by North Market Street, West St. James Street, Highway 87, and the Union Pacific Railroad tracks. CEQA: Final EIR for the Brandenburg Mixed Use Project/North San Pedro Housing Site Project. GPT03-03-01a & GP03-03-01b – Reso. 72170, 6/15/04. [JULIAN-STOCKTON]

(Item continued on the next page)

2. CONSENT CALENDAR

(Cont'd)

- 2.2 Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated August 16, 2007, recommending approval of the third amendment to the agreement with Jones and Stokes.

Action: The Redevelopment Agency Board approved the third amendment to the agreement with Jones and Stokes. (10-0-1) Absent: Constant.

- 2.3 **Approval of a Facade Improvement Program Agreement for the building located at 445-447 South First Street.**

Recommendation: Approval of a Facade Improvement Program Agreement, in the amount of \$110,000, including a construction contingency in the amount of \$10,000, with Alfredo Muccino, owner of the building located at 445-447 South First Street. CEQA: Exempt. File No. PP07-164. **[MERGED]**

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 Alfredo Muccino.

Action: The Redevelopment Agency Board approved a Facade Improvement Program Agreement with Alfredo Muccino. (10-0-1) Absent: Constant.

3 GENERAL

None

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

None

5 HOUSING

None

6 PUBLIC FACILITIES AND SPACES

None

7 PRIVATE DEVELOPMENT

7.1 Approval of a Facade Improvement Program Agreement for the Sainte Claire Hotel.

Recommendation: Approval of a Facade Improvement Program Agreement, in the amount of \$300,000, 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]**

Action: Deferred under Rules of the Day to September 11, 2007. (10-0-1) Absent: Constant.

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

Item 9.1 on the City Council's Agenda related to "Downtown PBID," was heard and action taken during the Council meeting at 1:30 p.m.

City Council convened at 7:11 p.m.

8.1 City Council and Redevelopment Agency Board actions related to an agreement with Charities Housing and Paseo Center II, LP, for child care.

Recommendation: City Council and Redevelopment Agency Board approval of an agreement with Charities Housing and Paseo Center II, LP, for child care, providing for an Agency contribution of \$500,000 toward renovation of a portion of the Paseo Senter Plaza housing development and for covenants to operate the renovated portions with Smart Start operating standards. [Deferred June 26, 2007, Item 8.3(a)] CEQA: Addendum to a Negative Declaration for Paseo Senter at Coyote Creek File No. PDC03-057 & PP07-138. **[MERGED]**

(Item continued on the next page)

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

(Cont'd)

- 8.1 Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Les White, dated June 14, 2007, recommending an agreement with Charities Housing for child care. Supplemental Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated August 21, 2007, recommending that the City Council and Agency Board approve an agreement with Charities Housing and Paseo Senter II LP for child care.

Action: The Redevelopment Agency Board and City Council approved an agreement with Charities Housing and Paseo Senter II LP for child care. (11-0)

- 8.2 **Direction to the Executive Director and City Manager to enter into agreements to enable Cirque du Soleil to occupy the former San Jose Water Company property located at Santa Clara Street and Delmas Avenue, and related fiscal actions.**

Recommendation:

- (a) Adoption of a resolution by the Agency Board directing the Executive Director to negotiate agreements necessary to enable Cirque du Soleil to occupy the former San Jose Water Company property located on Santa Clara Street and Delmas Avenue, including property use agreements with Adobe Systems as owners of the property and property use agreements with Cirque du Soleil, and utility relocation agreements with PG&E, AT&T, and Comcast Cable.
- (b) Adoption of a resolution by the Agency Board approving an adjustment to the FY 2007-08 Adopted Capital budget authorizing \$700,000 for Cirque du Soleil, a new project line in the Merged Redevelopment Area, and amending the FY 2007-08 Agency appropriations resolution.
- (c) Adoption of a resolution by the City Council directing the City Manager to negotiate agreements necessary to enable Cirque du Soleil to occupy the former San Jose Water Company property, including the waiver of parking fees for Adobe Systems at the Market Street Garage.

CEQA: Not a Project. The negotiated agreements and Planned Development Permit will undergo environmental review prior to any Agency or City approval actions. [MERGED]

Action: Deferred to September 11, 2007. (11-0)

8. JOINT REDEVELOPMENT AGENCY/COUNCIL

8.3 Authorization to execute purchase orders and construction contracts to construct and install landmarks and projects consistent with the Japantown Proposition 40 grant.

Recommendation:

- (a) It is recommended that the City Council adopt a resolution making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for funding of the Japantown Cultural Preservation Projects.
- (b) It is recommended that the Redevelopment Agency Board adopt a resolution authorizing the Executive Director to execute purchase orders and construction contracts in a total amount not to exceed \$245,000, to construct and install the landmarks and history marker projects consistent with the Japantown CDBG and Proposition 40 grants.

CEQA: Exempt. File No. PP07-171 [JAPANTOWN]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated August 16, 2007, recommending that the City Council adopt a resolution making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for funding of the Japantown Cultural Preservation Projects, and that the Redevelopment Agency Board adopt a resolution authorizing the Executive Director to execute purchase orders and construction contracts in a total amount not to exceed \$280,000, to construct and install the landmarks and history marker projects.

Corrected Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated August 24, 2007, recommending that the City Council adopt a resolution making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for funding of the Japantown Cultural Preservation Projects, and that the Redevelopment Agency Board adopt a resolution authorizing the Executive Director to execute purchase orders and construction contracts in a total amount not to exceed \$245,000, to construct and install the landmarks and history marker projects

Action: Council Resolution No. 73979 adopted. (11-0) Agency Resolution No. 5779 adopted. (11-0)

City Council adjourned at 7:13 p.m.

- **Adjournment**
The Redevelopment Agency Board adjourned at 7:13 p.m.

ATTEST:



HARRY S. MAVROGENES, SECRETARY