



# REDEVELOPMENT AGENCY BOARD

## MINUTES

JANUARY 29, 2008

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

3:37 p.m. - Regular Session, Council Chambers, City Hall

**Absent: None.**

- Open Forum
- Closed Session Report  
None.
- Orders of the Day  
The Orders of the Day were approved. (11-0)

## 1 CEREMONIAL ITEMS

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None

## 2 CONSENT CALENDAR

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### 2.1 Report of the Public Safety, Finance and Strategic Support Committee – December 20, 2007.

**Boardmember Nguyen, Chairperson**

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

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

Action: The Public Safety, Finance and Strategic Support Committee report and actions of December 20, 2007, were accepted. (11-0)

### 2.2 Approval of Board Meeting Minutes.

**Recommendation:** Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of December 4, 2007.
- (b) Regular meeting of December 11, 2007.
- (c) Regular meeting of December 18, 2007.

Documents Filed: Regular minutes of December 4, December 11 and December 18, 2007.

Action: The Redevelopment Agency minutes were approved. (11-0)

## 2. CONSENT CALENDAR

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### 2.3 Report of the Rules and Open Government Committee – January 9, 2008. Chair Reed, Chairperson

- (a) Review January 15, 2008, Final Agenda: Meeting cancelled
- (b) Review January 22, 2008, Draft Agenda: Meeting cancelled.

Documents Filed: Report of the Rules and Open Government Committee of January 9, 2008.

Action: The Rules and Open Government Committee report and actions of January 9, 2008, were approved. (11-0)

### 2.4 Approval of a Group Combination Deferred Annuity Contract with ING Life Insurance and Annuity Company.

**Recommendation:** Approval of a Group Combination Deferred Annuity Contract with ING Life Insurance and Annuity Company, changing the existing contract by removing deferred sales charges, lowering administrative fees associated with the mortality and expense charge rate and lowering the interest rate for fixed accounts.

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated January 17, 2008, recommending approval of a Group Combination Deferred Annuity Contract with ING Life Insurance and Annuity Company.

Action: The Redevelopment Agency Board approved the agreement with ING Life Insurance and Annuity Company. (11-0)

### 2.5 Approval of a Facade Improvement Program Agreement for the building at 81 West Santa Clara Street

**Recommendations:**

- (a) Adoption of a resolution finding that rehabilitation of the San Jose Business and Loan building located at 81 West Santa Clara Street will be of Primary Benefit to the Pueblo Uno Redevelopment Area, and;

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## 2. CONSENT CALENDAR

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(Cont'd)

- 2.5 (b) Approval of a Facade Improvement Program Agreement, in the amount of \$165,000 including a construction contingency in the amount of \$15,000, with the Hoefler Family Revocable Living Trust and Station 81 Holdings LLC, for the building located at 81 West Santa Clara Street, formerly the San Jose Building and Loan building.

CEQA: Exempt. PP07-252. [CENTURY CENTER]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated January 17, 2008, recommending: (a) adoption of a resolution by the Agency Board finding that rehabilitation of the San Jose Business and Loan building located at 81 West Santa Clara Street will be of Primary Benefit to the Pueblo Uno Redevelopment Area; and, (b) approval of a Facade Improvement Program Agreement with the Hoefler Family Revocable Living Trust and Station 81 Holdings LLC.

Action: Agency Resolution No. 5808 adopted. The Redevelopment Agency Board approved the Facade Improvement Program Agreement with the Hoefler Family Revocable Living Trust and Station 81 Holdings LLC. (11-0)

- 2.6 **Approval of a quitclaim deed to remove a deed restriction on a portion of the parcel at 220 Almaden Boulevard**

**Recommendation:** Approval of a quitclaim deed removing a 1973 deed restriction requiring a small portion of the parcel located at 220 Almaden Boulevard (APN: 259-43-076) located at the southeast corner of Almaden Boulevard and Park Avenue, used exclusively for providing off-street vehicular parking. CEQA: Exempt, File No. PP08-006. [PARK CENTER PLAZA]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated January 17, 2008, recommending approval of a quitclaim deed removing a 1973 deed restriction requiring a small portion of the parcel located at 220 Almaden Boulevard located at the southeast corner of Almaden Boulevard and Park Avenue.

Action: The Redevelopment Agency Board approved the quitclaim deed. (11-0)

## 2. CONSENT CALENDAR

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### 2.7 Approval of an agreement with CityYear San Jose/Silicon Valley.

**Recommendation:** Approval of an agreement with CityYear San Jose/Silicon Valley, in an amount not to exceed \$150,000, to provide community organizing services and support to neighborhood leaders for neighborhood improvement projects in the Strong Neighborhoods Initiative Redevelopment Project Area. CEQA: Exempt, PP05-144. [SNI]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated January 17, 2008, recommending approval of an agreement with CityYear San Jose/Silicon Valley to provide community organizing services and support to neighborhood leaders for neighborhood improvement projects in the SNI Redevelopment Project Area.

Action: The Redevelopment Agency Board approved the agreement with CityYear San Jose/Silicon Valley. (11-0)

## 3 GENERAL

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## 4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

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## 5 HOUSING

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## 6 PUBLIC FACILITIES AND SPACES

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### 6.1 Approval of the second amendment to the Amended and Continued Property Use Agreement with the San Jose Downtown Association.

**Recommendation:** Approval of the second amendment to the Amended and Continued Property Use Agreement with San Jose Downtown Association for use of retail space at 88 South Fourth Street, Suite 130 as KALEID Gallery, extending the term of the agreement to January 31, 2009, and increasing the amount of Agency participation by \$11,700 to a total amount not to exceed \$20,000, for additional marketing, and extending and upgrading insurance for the space. CEQA: EIR Resolution No. 68839, File No. CP98-054. [SNI: CIVIC PLAZA]

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## 6 PUBLIC FACILITIES AND SPACES

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(Cont'd)

- 6.1 Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated January 17, 2008, recommending approval of the second amendment to the Amended and Continued Property Use Agreement with San Jose Downtown Association for use of retail space at 88 South Fourth Street, Suite 130 as KALEID Gallery.

Action: The Redevelopment Agency Board approved the Amended and Continued Property Use Agreement with the San Jose Downtown Association. (11-0)

- 6.2 **Award of a contract for construction of a parking lot at the former Stephen's Meats site and related fiscal action.**

**Recommendations:** Adoption of resolutions:

- (a) Approving an adjustment to the FY 2007-08 Adopted Capital Budget adding \$305,400 to the Parking Lot Improvements project line in the Merged Redevelopment Area, and amending the FY 2007-2008 Agency appropriations resolution.
- (b) Approving the award of a construction contract to Galedrige Construction, the lowest responsive bidder in the amount of \$277,629, for construction of a parking lot at the former Stephen's Meats site located at 105 South Montgomery Street, and authorizing a construction contingency in the amount of \$27,771.

CEQA: Addendum to the Final Environmental Impact Statement to the Baseball Stadium in the Diridon/Arena, 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 January 17, 2008, recommending adoption of resolutions by the Agency Board: (a) approving an adjustment to the FY 2007-08 Adopted Capital Budget and amending the FY 2007-2008 Agency appropriations resolution.; and, (b) approving the award of a construction contract to Galedrige Construction for construction of a parking lot.

Action: Agency Resolution No.s 5809 and 5810 adopted. (11-0)

## 7 PRIVATE DEVELOPMENT

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- 7.1 **Approval of an amendment to the OPA with Fountain Alley LLC, for the seismic retrofitting and facade restoration of the buildings located at 27-37 Fountain Alley and 28-40 E. Santa Clara Street.**

**Recommendation:** Approval of the fourth amendment to the Owner Participation Agreement (OPA) with Fountain Alley LLC, in the amount of \$350,000 for a revised total of \$3,350,000, for the seismic retrofit and facade restoration of buildings located at 27-37 Fountain Alley and 28-40 E. Santa Clara Street, and increasing the term of the Operation and Maintenance Covenants. CEQA: Resolution No. 71039.1, Use of Addendum to a Final EIR Entitled "Mixed-Use Project and Century Center Plan Amendment" adopted June 11, 2002. [CENTURY CENTER]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated January 17, 2008, recommending approval of fourth amendment to the Owner Participation Agreement with Fountain Alley LLC, for the seismic retrofit and facade restoration of buildings located at 27-37 Fountain Alley and 28-40 E. Santa Clara Street.

Action: The Redevelopment Agency Board approved the fourth amendment to the Owner Participation Agreement with Fountain Alley LLC. (11-0)

## 8 JOINT REDEVELOPMENT AGENCY/COUNCIL

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*No Redevelopment-related actions were discussed on the City Council agenda today.*

- **Adjournment**  
**The Redevelopment Agency Board adjourned at 3:40 p.m.**

**ATTEST:**

  

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**HARRY S. MAVROGENES, SECRETARY**