CITY OF
SAN JOSE
CAPITAL OF SILICON VALLEY

REDEVELOPMENT AGENCY BOARD

SYNOPSIS

December 2, 2003

LINDA J. LEZOTTE	DISTRICT 1		KEN YEAGER	DISTRICT 6
FORREST WILLIAMS	DISTRICT 2		TERRY GREGORY	DISTRICT 7
CINDY CHAVEZ	DISTRICT 3	RON GONZALES CHAIR	DAVID CORTESE	DISTRICT 8
CHUCK REED	DISTRICT 4		JUDY CHIRCO	DISTRICT 9
NORA CAMPOS	DISTRICT 5		PAT DANDO	DISTRICT10

CALL TO ORDER AND ROLL CALL

Vice Mayor Pat Dando called the meeting to order at 5:01 p.m.

PRESENT: GONZALES, CHAVEZ, CHIRCO, CORTESE, DANDO, GREGORY, LEZOTTE, REED, YEAGER, WILLIAMS.

ABSENT: CAMPOS (EXCUSED)

ORDERS OF THE DAY

Items recommended to be added, dropped, or deferred are usually approved under Orders of the Day unless the Council directs otherwise.

Item 7.2 – Flames Restaurant - is deferred to December 16, 2003.

Items 7.1 – 7.2 are to be considered in a joint Redevelopment Agency/City Council session.

See Item 10 on the City Council Agenda for description of any City Council agendized items relating to the Redevelopment Agency.
Item 2.3 was removed from the Consent Calendar by Vice Mayor Dando and Board Member Chavez. Orders of the day approved. Absent: Campos.

1 CEREMONIAL ITEMS

None.

2 CONSENT CALENDAR

2.1 Approval of Board Meeting Minutes:

Recommendation: Approval of Redevelopment Agency Minutes for the Regular meeting of September 30, 2003.
Approved. Absent: Campos.

2.2 Approval of amendments to agreements with three firms for services related to the Facade Improvement Programs.

Recommendation:

(a) Approval of the first amendment to the agreement with Banducci Associates Architects, in the amount of $30,000, for a total not too exceed $215,000 for architectural design and construction administration services for the Facade Improvement Program; and,

(b) Approval of the third amendment to the agreement with M. Sandoval Architects, in the amount of $15,000, for a total amount not to exceed $215,000, for architectural design and construction administration services for the Facade Improvement Program; and,

(c) Approval of the second amendment to the agreement with Studio "S Squared", in the amount of $15,000, for a total amount not to exceed $115,000, for architectural design and construction administration services for the Facade Improvement Program.

Approved. Absent: Campos.

2.3 Approval of an amendment to the agreement with Economic Development Systems for retail recruitment services for the Downtown Redevelopment Project Areas, Neighborhood Business District Project Areas and the SNI Areas.

Recommendation: Approval of the second amendment to the agreement with Economic Development Systems for retail recruitment services for the Downtown Redevelopment Project Areas, Neighborhood Business District Project Areas and the SNI areas, extending the term of the agreement by one year, through December 31, 2004, and revising the scope of services at no additional cost to the budget.
Approved. Noes: Dando. Absent: Campos.

3 NEIGHBORHOOD IMPROVEMENT STRATEGIES

None.

4 HOUSING

None.

5 PUBLIC FACILITIES AND SPACES

5.1 Authorization for the Executive Director to award contracts related to the structures at 40 North Fourth Street and 39 North Fifth Street.

Recommendation:

(a) Adoption of a resolution authorizing the Executive Director to award construction contracts to the lowest responsive bidders for:

(1) Hazardous material abatement for the Fox Building at 40 North Fourth Street, in an amount not to exceed $250,000, and establishing a contract contingency not to exceed 10%.

(2) Demolition of the Fox Building, in an amount not to exceed $250,000, and establishing a contract contingency not to exceed 10%.

(3) Hazardous material abatement and demolition of the building located at 39 North Fifth Street, in an amount not to exceed $175,000, and establishing a contract contingency not to exceed 10%.

(b) Adoption of a resolution authorizing the Executive Director to negotiate and execute an amendment to the existing Property Use Agreement with the Emergency Housing Consortium.

CEQA: Resolution No. 71743, PP03-03-088.

Public testimony received. Resolution No. 5451 adopted. Absent: Campos.

6 PRIVATE DEVELOPMENT

None.

7 JOINT REDEVELOPMENT AGENCY/COUNCIL

7.1 Approval of first amendments to the Disposition and Development Agreements for historic houses at 450, 457, 459 and 465 North Fourth Street and 151 North Eighth Street.

Recommendation:

(a) Adoption of a resolution by the City Council accepting the 33433 Summary Reports, finding that the disposal of the listed properties will assist in the elimination of blight and that the consideration for the properties is not less than the fair reuse value for the proposed uses, with the covenants and conditions and development costs authorized by the Disposition and Development Agreements, and,

(b) Adoption of a resolution by the Redevelopment Agency approving the first amendments to the Disposition and Development Agreements with Melonee and Tranel Hawkins and Warren Herndon, David and Naiomi Dudek, Jane Przybysz and Mark Warther, Christopher and Michelle McSorley, and Dayana Salazar, and authorizing the Executive Director to execute ancillary documents contemplated by the Disposition and Development Agreements.

CEQA: Resolution No. 68905.

Agency Resolution No. 5452 and City Council Resolution No. 71855 adopted. Abstain: Gonzales. Absent: Campos.

7.2 Approval actions related to a lease with The Flames Coffee Shop for Agency-owned space located in the Fourth Street Garage.

Recommendations:

(a) Adoption of a resolution by the City Council accepting the summary of costs and findings of the Summary 33433 Report and the Estimated Reuse Valuation pursuant to the California Health and Safety Code Section 33433 for the lease of approximately 6,150 square feet at 88 South Fourth Street to The Flames Coffee Shop, Inc., making certain findings and approving the lease; and,

(b) Approval by the Agency Board of a lease between The Flames Coffee Shop, Inc. (Tenant), and the Agency (Landlord) for space of approximately 6,150 square feet located at 88 South Fourth Street, for a fifteen-year term, with three five-year options; and,

(c) Adoption of a resolution by the City Council authorizing the City Manager to execute a Certificate of Nondisturbance and Attornment and other documents necessary to effectuate the lease with The Flames Coffee Shop, Inc., under the terms of the Master Lease Between the City and the Agency for the Fourth Street Garage retail space.

CEQA: Resolution No. 68839, PP03-08-263

Item 7.2 deferred to December 9, 2003.

CLOSED SESSION REPORT

None.

OPEN FORUM

None.

ADJOURNMENT

The meeting adjourned at 5:20 p.m.