



REDEVELOPMENT AGENCY BOARD

SYNOPSIS

February 25, 2003

LINDA J. LEZOTTE
FORREST WILLIAMS
CINDY CHAVEZ
CHUCK REED
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

RON GONZALES CHAIR

KEN YEAGER
GEORGE SHIRAKAWA, JR.
DAVID CORTESE
JOHN DIQUISTO
PAT DANDO

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT10

CALL TO ORDER AND ROLL CALL

Mayor Ron Gonzales called the meeting to order at 4:15 p.m.

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

ORDERS OF THE DAY

See Item 10 on the City Council Agenda for description of City Council
agendized items relating to the Redevelopment Agency.

Orders of the Day approved.

1 CEREMONIAL ITEMS

None.

2 CONSENT CALENDAR

Items 2.3 and 2.4 removed from the Consent Calendar by Mayor Gonzales.

2.1 Report of the Rules Committee – January 29, 2003

Vice Mayor Dando, Chair

- (1) Review February 11, 2003 Draft Agenda.
- (2) Add new items to the February 4, 2003 Agenda. (Meeting Canceled)

Approved.

2.2 Report of the Rules Committee – February 5, 2003

Vice Mayor Dando, Chair

- (1) Review February 18, 2003 Draft Agenda.
- (2) Add new items to the February 11, 2003 Agenda. (Meeting Canceled)

Approved.

2.3 Approval of an amendment to the agreement with EnviroScience, Inc., for environmental engineering services for the Fox California Theatre Project.

Recommendation: Approval of the third amendment to the agreement with EnviroScience, Inc., in the amount of \$25,000, for a total contract amount not to exceed \$225,000, for environmental engineering and hazardous materials abatement and monitoring services for the Fox California Theatre Project. CEQA: Resolution No. 68839.

Approved.

2.4 Approval of the Continuation Agreement and Second Amendment to the agreement with Parsons Transportation Group for transportation consulting services.

Recommendation: Approval of the Continuation Agreement and Second Amendment to the agreement with Parsons Transportation Group, in the amount of \$150,000, for a total contract amount not to exceed \$475,000, for transportation consulting services related to the environmental review for the downtown Mixed-Use project and the Access and Circulation Study, and extending the term through March 30, 2003.

Approved.

3 NEIGHBORHOOD IMPROVEMENT STRATEGIES

None.

4 HOUSING

None.

5 PUBLIC FACILITIES AND SPACES

5.1 Approval of actions related to creation of up to 311 “Parking Plus” parking spaces in the downtown as part of the mixed-use project.

Recommendations: Adoption of resolutions:

- (a) Finding and approving that the addition of 311 parking spaces in the CIM mixed-use project is consistent with the Parking Management Plan for the downtown; and,
- (b) Authorizing the Executive Director to advise CIM of the Agency’s agreement, pursuant to the Disposition and Development Agreement

(DDA), for CIM to design and construct 135 Parking Plus spaces at the Second and Santa Clara Streets and Fountain Alley sites, and delaying the Agency's decision on Parking Plus spaces at the Block 3 site until no later than October 1, 2003, and,

- (c) Authorizing the Executive Director to negotiate and execute the HUD 108/BEDI loan and grant documents.
- (d) Approving the addition of Parking Plus project line to the Adopted FY 2002-2003 Capital Budget in the amount of \$4,050,000 in the Merged Redevelopment Area, and,
- (e) Amending the FY 2002-2003 Agency appropriation resolution.
CEQA: Resolution No. 71039.1.

Public testimony received. A supplemental memorandum clarified (b) as Authorizing the Executive Director to negotiate and execute the necessary documents with CIM California Urban Real Estate Fund, L.P. to 1) Design 135 Parking Plus spaces at the Second and Santa Clara Streets and Fountain Alley sites with the Agency having prior approval of third party design contracts and being obligated to pay for the actual third party design work; and, 2) Return to the Board no later than July 1, 2003 for a decision as to whether the Agency will pay for construction of the 135 Parking Plus spaces at the Second and Santa Streets and Fountain Alley sites; and, 3) Return to the Board no later than October 1, 2003 for a decision on the design and construction of 176 Parking Plus spaces at the Block 3 site. Resolution Nos. 5394 and 5395 adopted.

Vice Mayor Dando left the meeting at 4:35 p.m.

5.2 Approval of a contract with Nor-Cal for move services for the San Jose Joint Library: New King Library Relocation.

Recommendation: Adoption of a resolution approving a contract with Nor-Cal, in the amount of \$974,685.16, of which San Jose State University will be obligated to reimburse the Agency 59% of all costs, for move services for the San Jose Joint Library: New King Library Relocation; establishing a contract contingency in the amount of \$48,734, and authorizing the Executive Director to execute contract amendments up to the amount of the contingency.

Mayor Gonzales requested that the Agency designate the library as the Dr. Martin Luther King, Jr. Library. Resolution No. 5396 adopted. Absent: Dando.

6 PRIVATE DEVELOPMENT

6.1 Approval of an amendment to an Owner Participation Agreement (OPA) with SJ Plaza, LLC, 101 Park, LLC, and 177 Park, LLC, for a proposed seventeen-story, 516,000 square foot, Class A office tower development.

Recommendation: Approval of the first amendment to the Owner Participation Agreement with SJ Plaza, LLC, 101 Park, LLC, and 177 Park, LLC, controlled by Divco West Properties LLC, for a proposed seventeen-story, approximately 516,000 square foot, Class A office tower development, extending the Schedule of Performance for one year and, if within that year the development capacity secured by the OPA is required for another project in the Downtown, authorizing the Executive Director to terminate the agreement. CEQA: Resolution No. 68839. **Public testimony received. Board Member Chavez made an addition to the motion to include Board Member LeZotte's request for a report back in 30 days on Disposition and Development Agreements where the Agency could request an extension. Approved. Absent: Dando.**

7 JOINT REDEVELOPMENT AGENCY/COUNCIL

None.

CLOSED SESSION REPORT

None.

OPEN FORUM

None.

ADJOURNMENT

The meeting was adjourned at 4:40 p.m.