

# REDEVELOPMENT AGENCY

**FEBRUARY 28, 2006**

## SYNOPSIS

LINDA J. LE ZOTTE  
FORREST WILLIAMS  
CINDY CHAVEZ  
CHUCK REED  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES – CHAIR

KEN YEAGER  
MADISON P. NGUYEN  
DAVID D. CORTESE  
JUDY CHIRCO  
NANCY PYLE

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

Welcome to the San Jose Redevelopment Agency's Board meeting. Our Board is composed of the ten City Council Members and the Mayor, who serve as our Boardmembers and Chairperson.

If you wish to address the Redevelopment Agency about an issue that is not on the agenda, you may speak during the "Open Forum" during the City Council's meeting. The Council/Agency is unable to take action on issues presented during "Open Forum."

The Agenda following this page contains a Consent Calendar section for routine business items requiring Redevelopment Agency approval, as well as general business items arranged corresponding to the Agency's Critical Service Areas. The Critical Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the Agency provides to the community and to the City. The four Critical Service Areas are:

- ***Promote and Implement Neighborhood Improvement Strategies*** — Through collaboration, revitalize commercial and residential neighborhoods so they are livable, safe, diverse and economically sustainable.
- ***Enhance the Quality and Supply of the City's Housing Stock*** — Enhance the Quality and Supply of the City's Housing Stock
- ***Initiate and Facilitate Public Facilities and Spaces*** — To guide the creation of a fabric of public facilities and spaces that is useful, stable, inviting, delightful and instills pride in the community to foster the opportunity for other investments
- ***Initiate and Facilitate Private Development*** — Capitalize on market opportunities and facilitate private development in the fastest possible time with the highest quality customer service

You may provide input on agenda items by filling out a BLUE Speaker's Card and submitting it to the City Clerk or Agency's Clerk during the meeting. If you wish to speak to the Agency, some tips to help you are noted below:

- **Submit a speaker's card before the meeting and before the item is heard.** This will ensure that your name is called for the items you wish to address, and ensure the meeting runs smoothly for all participants.
- When the Board reaches your item on the agenda, the Chairperson will open the public hearing and call your name. Please address the Agency from the speaker's podium.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Chairperson's discretion however, depending on the number of speakers and length of agenda.

If you have any questions, please direct them to Agency staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings. The Redevelopment Agency meets on Tuesdays, following the City Council's meeting at 1:30 p.m.

Meeting agendas are posted outside City Hall and the agendas and Agency Board Staff Reports may be viewed on the Internet at <http://www.sjredevelopment.org/agendas.htm>. To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 998-5299 (TTY) at least two business days before the meeting.

On occasion the Redevelopment Agency may consider agenda items out of order.

- **Call to Order and Roll Call**  
**9:32 a.m.** - Closed Session, City Hall Tower, 18<sup>th</sup> Floor, City Hall  
**Absent Board Members: Cortese, LeZotte.**  
  
**5:21 p.m.** - Regular Session, Council Chambers, City Hall  
**Absent Board Members: Cortese, LeZotte.**
- **Orders of the Day**  
**The Orders of the Day and the Amended Agenda were approved.**

## **1. CEREMONIAL ITEMS**

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None.

## **2. CONSENT CALENDAR**

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### **2.1 Report of the Rules Committee – February 1, 2006.**

- (a) Review February 14, 2005 Draft Agenda.
  - (b) Addition of new items to the February 7, 2006 Agenda.
  - (b) Staff Reports outstanding for February 7, 2006: as of February 1, 2006.
- Approved.**

### **2.2 Report of the Rules Committee – February 8, 2006.**

- (a) Review February 21, 2005 Draft Agenda: Meeting Cancelled.
  - (b) Addition of new items to the February 14, 2006 Agenda.
  - (b) Staff Reports outstanding for February 14, 2006: as of February 8, 2006.
- Approved.**

### **3. GENERAL**

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None.

### **4. NEIGHBORHOOD IMPROVEMENT STRATEGIES**

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None.

### **5. HOUSING**

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#### **5.1 Approval of Real Estate Purchase Agreements.**

##### **Recommendations:**

- (a) Approval of a Purchase and Sale Agreement with James P. Mieuli, Trustee of the James P. Mieuli 2002 Revocable Trust UTA Dated August 23, 2002, in the amount of \$5,953,500 plus related closing costs, for the acquisition of 150 South Montgomery Street; and,
- (b) Approval of a Purchase and Sale Agreement with Butcher Bros., a partnership in the amount of \$5,939,460 plus related closing costs, for the acquisition of 115 Autumn Street and 510 West San Fernando Street; and,

**Approved.**

- (c) Adopt a resolution approving a shift of \$1,500,000 from the Adopted FY 2006-07 Capital Improvement Program to the FY 2005-2006 Adopted Capital Budget for Downtown Housing Site Acquisition project line and amending the FY 2005-06 Agency appropriations resolution.

CEQA: Downtown Strategy 2000 EIR, Resolution No. 72767 [**MERGED – GREATER DOWNTOWN**]

**Redevelopment Agency Resolution No. 5669 adopted.**

## 6. PUBLIC FACILITIES AND SPACES

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None.

## 7. PRIVATE DEVELOPMENT

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### 7.1 Approval of a Use Agreement with the Theater on San Pedro Square.

**Recommendation:** Adoption of a resolution authorizing the Executive Director to negotiate and execute a Property Use Agreement with the Theater on San Pedro Square to provide theater space at 29 North San Pedro to community arts groups for a minimum of 180 days annually for a five-year period at a maximum Agency cost of \$600,000. (Deferred 2/14/06 - Item 7.2) [MERGED]

**Redevelopment Agency Resolution No. 5670 adopted, with Staff directed to:**

- (1) **Work with the Arts Commission to ensure that small groups know it is available.**
- (2) **Work with Team San José on supporting booking the venue.**
- (3) **Ensure that the Property Use Agreement's lien is secured with maximum coverage.**
- (4) **Ensure up front that criteria be established on how scheduling will take place.**
- (5) **Negotiated agreement to return to Board for approval.**

### 7.2 Approval of actions related to the proposed development of San Antonio Plaza, Block 2.

**Recommendation:** Adoption of a resolution authorizing the Executive Director to terminate a Disposition and Development Agreement with 8 East, LLC, for Agency-owned property located south of San Fernando Street, between First and Second Streets. [SAN ANTONIO PLAZA]

**Redevelopment Agency Resolution No. 5671 adopted, with the Executive Director further directed to enter into a new ENA with 8 East LLC, if the ENA with Living Tomorrow terminates without resulting in an approved Disposition and Development Agreement.**

## **8. JOINT REDEVELOPMENT AGENCY/COUNCIL**

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**The City Council portion of the meeting was convened to consider Items 8.1 and 8.2 in a Joint Session.**

### **8.1 Approval of an exception to the City street light policy.**

**Recommendation:** Adoption of a resolution by the City Council approving an exception to the City street light policy to allow the use of high pressure sodium lighting for the Burbank/Del Monte Streetscape Project, which includes pedestrian scale lighting. CEQA: Negative Declaration, File No. PP05-296 [SNI: BURBANK/DEL MONTE]  
**Deferred to 3/14/06.**

### **8.2 City Council and Agency Board actions related to the Education Revenue Augmentation Fund Loan Program.**

**Recommendation:** Adoption of a resolution by the City Council reporting to the County Auditor the Agency's intent to fund its ERAF payment in the amount of \$14,500,614 with funds borrowed from the CRA/ERAF Loan Program.  
[MERGED]  
**Resolution No. 73085 adopted.**

**The City Council portion of the meeting was adjourned.**

- **Closed Session Report**  
**None.**
- **Open Forum**  
**None.**
- **Adjournment**  
**The San José Redevelopment Agency meeting was adjourned at 5:52 p.m.**