

REDEVELOPMENT AGENCY SYNOPSIS

OCTOBER 28, 2008

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

4:41 p.m. - Regular Session, Council Chambers, City Hall

Absent: Campos

- Open Forum
- Closed Session Report
None.
- Orders of the Day
The Orders of the Day were approved.

1 CEREMONIAL ITEMS

None

2 CONSENT CALENDAR

2.1 Report of the Public Safety, Finance and Strategic Support Committee – September 18, 2008.

Boardmember Nguyen, Chairperson

“b.i-iii. Redevelopment Agency Monthly Financial Reports for July 2008.”

Approved

2.2 Approval of Board Meeting Minutes.

Recommendation: Approval of Redevelopment Agency Minutes for:

(a) Regular meeting of September 23, 2008.

Approved

2.3 Report of the Rules and Open Government Committee – September 24, 2008.

Chair Reed, Chairperson

(a) Addition of new items to the September 30, 2008: Meeting cancelled.

(b) Review October 7, 2008 Draft Agenda.

(c) Rules Committee Reviews, Recommendations and Approvals: Property Disclosures within the SNI by Joseph Horwedel, Director of Planning and Debra Figone, City Manager.

Approved

2 CONSENT CALENDAR

2.4 Report of the Rules and Open Government Committee – October 1, 2008. Chair Reed, Chairperson

- (a) Review October 7, 2008 Draft Agenda.
 - (b) Addition of new items to the October 14, 2008: Meeting cancelled.
 - (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.
- Approved**

2.5 Approval of amendments to two Master Agreements and related budget actions.

Recommendations:

- (a) Approval of the second amendment to the Master Agreement with HMH Engineers, Inc., in the amount of \$50,000 for a contract total not to exceed \$150,000, for construction management services with no change to the term of the agreement; and,

Approved

- (b) Approval of the second amendment to the Master Agreement with TRC Engineers, Inc., in the amount of \$100,000 for a total contract amount not to exceed \$200,000, for geotechnical and environmental services with no change to the term of the agreement; and,

Approved

- (c) Adoption of a resolution adjusting the Agency’s FY 2008-09 Adopted Capital Budget, adding \$150,000 to the Project Support Studies project line in the Merged Redevelopment Area and amending the FY 2008-2009 Agency appropriations resolution.

CEQA: Not a project. **[MERGED]**

Agency Resolution 5864 adopted.

2.6 Approval the Agency’s Identity Theft Prevention Program.

Recommendation: Adoption of a resolution approving the Agency’s Identity Theft Prevention Program to comply with regulations issued by the Federal Trade Commission pursuant to the Fair and Accurate Credit Transactions Act of 2003 and designation of the Executive Director’s Office to provide oversight of the Identity Theft Prevention Program.

Agency Resolution 5865 adopted.

2 CONSENT CALENDAR

2.7 Approval of a revision to the Agency's Conflict of Interest Code

Recommendation: Adoption of a resolution approving the Agency's revised Conflict of Interest Code.

Agency Resolution 5866 adopted.

3 GENERAL

3.1 Presentation of the Quarterly Projects Status Report.

Recommendation: Acceptance of the Redevelopment Agency's Quarterly Projects Status Report for the First Quarter, FY 2008-09.

Accepted

3.2 Acceptance of the final report of The Alameda NBD Parking Study.

Recommendation: Acceptance of the final report of The Alameda Neighborhood Business District Parking Study prepared by Fehr & Peers Transportation Consultants. [THE ALAMEDA NBD]

Accepted

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

5 HOUSING

6 PUBLIC FACILITIES AND SPACES

6.1 Approval of a Parking Lot Maintenance Agreement for Agency owned property at 938 The Alameda with the Billy DeFrank Community Center.

Recommendation: Approval of a Parking Lot Maintenance Agreement for Agency owned property at 938 The Alameda with the Billy DeFrank Community Center, providing the Center with exclusive use of six parking spaces in the lot at Cleaves Avenue and The Alameda with the Center responsible for regular and routine upkeep of the entire parking lot and the payment of utilities associated with parking lot lighting for an agreement period of ten years. CEQA: Exempt. File No. PPP08-239. [THE ALAMEDA]

Approved

7 PRIVATE DEVELOPMENT

7.1 Approval for the substitution of Khanna Enterprises as the hotel and restaurant operator at the Hotel Montgomery.

Recommendation: Adoption of a resolution approving the substitution of Khanna Enterprises as the Hotel and Restaurant Operator at the Hotel Montgomery located at 211 South First Street, and authorizing the Executive Director to negotiate and execute any documents reasonably necessary to implement the substitution. **[MERGED]**

Agency Resolution 5867 adopted.

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

Item 9.1 on the City Council's Agenda relating to "acquisition and rehabilitation of a multi-service community resource center," was heard during the Council meeting that began at 10:00 a.m. today.

The City Council convened at 5:12 p.m. to consider Items 8.1 – 8.2 in a Joint Session.

8.1 Approval of an agreement with the San Jose Conservation Corps & Charter School for the creation of a Smart Start Center at 1560 Berger Drive.

Recommendations:

(a) Adoption of a resolution by the Redevelopment Agency Board finding that creation of a Smart Start Center at 1560 Berger Drive will be of Primary Benefit to the Rincon de Los Esteros Redevelopment Project Area.

Agency Resolution 5868 adopted.

(b) Redevelopment Agency and City Council approval of an agreement with the San Jose Conservation Corps & Charter School, a California Non-Profit Corporation, in the amount of \$600,000, for improvements to the property located at 1560 Berger Drive for the creation of a Smart Start Center providing 82 childcare spaces to be operated under Smart Start San Jose standards.

Approved

CEQA: Mitigated Negative Declaration, File No. CP06-004. **[RINCON DE LOS ESTEROS]** (Deferred from 10/21/08, City Council Agenda, Item 9.1)

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

8.2 Approval of actions related to the development of market rate housing on the North San Pedro Housing Project site.

Recommendation:

- (a) Redevelopment Agency Board approval of an assignment of the Disposition And Development Agreement (DDA) from the Olson Company to Intracorp San Francisco (name changed to North San Pedro Townhomes, LLC); and,

Approved

- (b) Adoption of a resolution by the City Council approving the sale of certain sites located on Agency-owned property generally located in the blocks bounded by Highway 87 to the west, West Saint James Street to the south, North Market Street to the east and a Union Pacific Railroad right of way to the north to Intracorp, accepting the 33433 Summary Report and Re-Use Valuation, and finding that the sale of the property will assist in the elimination of blight, is consistent with the Implementation Plan for the Julian Stockton Redevelopment Project Area, and that the consideration for the property is not less than the fair reuse value for the proposed use, with the covenants and conditions and development costs authorized by the DDA; and,

Council Resolution 74561 adopted.

- (c) Adoption of a resolution by the Redevelopment Agency Board approving an Amended and Restated Disposition and Development with Intracorp San Francisco (name changed to North San Pedro Townhomes, LLC) and authorizing the Executive Director to execute ancillary documents contemplated by the DDA, to close escrow subject to compliance with the terms of the DDA, and to negotiate and execute amendments to the DDA substantially in conformance with the intent of the DDA and as reasonably necessary to conform to lender requirements; and,

Agency Resolution 5869 adopted.

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

- 8.2 (d) Adoption of a resolution by the City Council approving the sale of certain sites located on Agency-owned property generally located in the blocks bounded by Highway 87 to the west, West Saint James Street to the south, North Market Street to the east and a Union Pacific Railroad right of way to the north, to Barry Swenson Builder (Swenson), accepting the 33433 Summary Report and Re-Use Valuation and finding that the sale of the property will assist in the elimination of blight, is consistent with the Implementation Plan for the Julian-Stockton Redevelopment Project Area and that the consideration for the property is not less than the fair reuse value for the proposed use, with the covenants and conditions and development costs authorized by the Disposition and Development Agreement; and,

Council Resolution 74562 adopted.

- (e) Adoption of a resolution by the Redevelopment Agency Board approving an Amended and Restated Disposition and Development Agreement with Swenson and authorizing the Executive Director to execute ancillary documents contemplated by the DDA, to close escrow subject to compliance with the terms of the DDA, and to negotiate and execute amendments to the DDA substantially in conformance with the intent of the DDA and as reasonably necessary to conform to lender requirements.

Agency Resolution 5870 adopted.

CEQA: Resolution No: 72170, File no GPT03-03-01a and GP03-03-01b
Brandenburg Mixed Use Project/ North San Pedro Housing Sites. **[JULIAN-STOCKTON]**

The City Council portion of the meeting adjourned at 5:13 p.m.

- **Adjournment**
The Redevelopment Agency Board adjourned at 5:13 p.m.