

REDEVELOPMENT AGENCY AMENDED AGENDA

MARCH 24, 2009

PETE CONSTANT
ASH KALRA
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED – CHAIR

PIERLUIGI OLIVERIO DISTRICT 6
MADISON P. NGUYEN DISTRICT 7
ROSE HERRERA DISTRICT 8
JUDY CHIRCO DISTRICT 9
NANCY PYLE 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.

Agendas and staff reports for Redevelopment Agency Board agenda items may be viewed on the Internet at <http://www.sjredevelopment.org/agendas>. Board Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda that are not exempt from disclosure pursuant to the California Public Records Act and that are distributed to a majority of the legislative body will be available for public inspection at the Redevelopment Agency at San Jose City Hall, 200 E. Santa Clara St, 14th Floor, San Jose, CA 95113-1903 at the same time that the public records are distributed or made available to the Redevelopment Agency Board.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-8500 or (408) 294-9337 (TTY) at least three business days before the meeting.

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

- **Call to Order and Roll Call**
9:30 a.m. - Closed Session, Call to Order in Council Chambers
Adjourn to Closed Session in Council Chambers Conference Room W133
See Separate Agenda
1:30 p.m. - Regular Session, Council Chambers, City Hall
The Agency Board agenda will be considered following conclusion of the Open Forum on the City Council's agenda.
- **Open Forum**
To be heard jointly during the City Council's Open Forum. Members of the Public are invited to speak on any item that does not appear on today's agenda and that is within the subject matter jurisdiction of the Redevelopment Agency Board.
- **Closed Session Report**
- **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.
See Item 9 on the City Council Agenda for description of any City Council agendized items relating to the Redevelopment Agency.

1 CEREMONIAL ITEMS

2 CONSENT CALENDAR

Notice to the public: There will be no separate discussion of Consent Calendar items as they are considered to be routine by the Agency and will be adopted by one motion. If a member of the Redevelopment Agency Board, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

2.1 Approval of Board Meeting Minutes.

Recommendation: Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of February 10, 2009.

2.2 Report of the Rules and Open Government Committee – February 25, 2009. Chair Reed, Chairperson

- “4. 1 Review March 3, 2009, Final Agenda, Meeting cancelled
- 4.2 Review March 10, 2009, Draft Agenda.

2.3 Report of the Rules and Open Government Committee – March 4, 2009. Chair Reed, Chairperson

- “4. 1 Review March 10, 2009, Final Agenda.
- 4.2 Review March 17, 2009, Draft Agenda.

3 GENERAL

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

5 HOUSING

5.1 Approval to submit an application to California Department of Housing and Community Development to participate in the Infill Infrastructure Grant Program.

Recommendations: It is recommended that the Redevelopment Agency Board adopt a [resolution](#):

- (a) Approving the submission to the California Department of Housing and Community Development (HCD) of an application to participate in the Infill Infrastructure Grant Program in response to the Notice of Funding Availability dated February 2, 2009, which will request a funding allocation in the amount of \$24,160,400 for the following activities: demolition and construction of the Julian Street realignment, right-of-way acquisition, construction of parks, park dedication ordinance fees, site preparation and remediation and streetscape improvements; and,
- (b) Authorizing the Executive Director to execute the application, the Standard Agreement, and all other documents required by HCD for participation in the Infill Infrastructure Grant Program, and any amendments thereto; and,
- (c) Authorizing the Executive Director, if the application for funding is approved, to direct staff to use the Infill Infrastructure Grant Program funds for eligible activities in the manner presented in the application as approved by HCD and in accordance with the Program Guidelines.

CEQA: Brandenburg Mixed Use Project/ North San Pedro Housing Sites Project
GPT03-03-01a and GP03-03-01b. [JULIAN/STOCKTON]

5.2 Approval to submit an application to California Department of Housing and Community Development to participate in the TOD Housing Program Grant Program.

Recommendations: It is recommended that the Redevelopment Agency Board adopt a [resolution](#):

- (a) Approving the submission to the California Department of Housing and Community Development (HCD) of an application to participate in the Transit Oriented Development Housing Program Grant Program in response to the Notice of Funding Availability dated January 30, 2009 which will request a funding allocation in the amount of \$13,400,000 for an attached housing project parking structure construction costs; and,

5 HOUSING

- 5.2 (b) Authorizing the Executive Director to execute the application, the Standard Agreement, and all other documents required by the HCD for participation in the Transit Oriented Development Program, and any amendments thereto; and,
- (c) Authorizing the Executive Director, if the application for funding is approved, to direct staff to use Transit Oriented Development Grant Program funds for eligible activities in the manner presented in the application as approved by HCD and in accordance with the program Guidelines.

CEQA: Brandenburg Mixed Use Project/ North San Pedro Housing Sites Project
GPT03-03-01a and GP03-03-01b. [JULIAN/STOCKTON]

6 PUBLIC FACILITIES AND SPACES

6.1 Approval of a Purchase and Sale Agreement for acquisition of 456 Autumn Court.

Recommendations: Approval of a [Purchase and Sale Agreement with Patricia S. Huddleston](#), in the amount of \$375,000 plus related closing costs, for acquisition of 456 Autumn Court to allow for development of the Autumn Street Extension Project. CEQA: Resolution No. 08-010 Coleman Avenue/Autumn Street Improvement Project, File No. PP06-166. [JULIAN-STOCKTON]

6.2 Approval of a Continuation and Second Amendment to the Agreement with Leddy Maytum Stacy Architects.

Recommendation: Approval of a Continuation and Second Amendment to the [Agreement with Leddy Maytum Stacy Architects](#), in the amount of \$120,000 for a total contract amount not to exceed \$350,000, for architectural services for the schematic design of the first phase of the Children's Discovery Museum Renovation Project, and extending the term of the agreement by nine months through June 30, 2009. CEQA: Not a project. [GUADALUPE-AUZERAIS]

7 PRIVATE DEVELOPMENT

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

See item 9.1 on the City Council's Agenda, "Mayor's Budget Message," which will be heard and action taken only during the Council meeting that begins at 1:30 p.m. today.

CONVENE CITY COUNCIL TO CONSIDER ITEMS 8.1 – 8.3 IN A JOINT SESSION

8.1 Actions related to approval of a contract for the Civic Auditorium Audio Visual/Sound System Project.

Recommendation: Adoption of resolutions:

- (a) By the City Council making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Agency funding of the [proposed improvements to the Civic Auditorium](#).
- (b) By the Redevelopment Agency Board approving a [contract with BBI Engineering, Inc.](#), in the amount of \$953,044, which includes two alternates, for the Civic Auditorium Audio Visual/Sound System Project, authorizing a project contingency in the amount of \$95,304 for a total contract amount of \$1,048,348, and authorizing the Executive Director to execute changes to the contract, subject to the limitations applicable to construction contract change orders. [RESOLUTION](#)
CEQA: Not a project. **[PARK CENTER]**

8.2 Approval of the Report to Council on the Amendment to the Redevelopment Plans for the Merged Project Area Tax Increment Limit and Bonded Indebtedness Limit Increases. (Large 40MB file) [SUPPLEMENTAL MEMO](#)

Recommendations: Public Hearing followed by Redevelopment Agency Board and City Council actions:

- (a) Adoption of resolutions by the City Council and Redevelopment Agency Board approving the Report to Council on the Amendment to the Redevelopment Plans for the Merged Project Area to increase the tax increment limit from \$7.6 billion to \$15 billion, to establish a single limit of \$7.6 billion for the bonded indebtedness that may be outstanding at any one time, and to modify the list of eligible public improvements in each Redevelopment Plan so that all Redevelopment Plans have consistent language relating to public improvements.
[AGENCY RESOLUTION](#) [CITY RESOLUTION](#)

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

- 8.2 (b) [Approval of an ordinance](#) by the City Council adopting the proposed Amendment to the Redevelopment Plans in the Merged Project Area to increase the tax increment limit from \$7.6 billion to \$15 billion, to establish a single limit of \$7.6 million on the amount of bonded indebtedness that may be outstanding at any one time, and to modify the list of eligible public improvements in each Redevelopment Plan so that all Redevelopment Plans have consistent language relating to public improvements, and making certain findings.

CEQA: CEQA determination, File No. PP08-289, adopted by the Director of Planning, Building, and Code Enforcement, dated February 4, 2009. **[MERGED]**

8.3 [Approval to remove Naglee Park from the SNI Project Area. \(Large 5MB file\)](#)

Recommendations: Public Hearing followed by Redevelopment Agency Board and City Council actions:

- * (a) Adoption of resolutions by the Redevelopment Agency Board and City Council approving the Report to Council on the Amendment to the Strong Neighborhoods Initiative Redevelopment Plan to remove Naglee Park from the Strong Neighborhoods Initiative (SNI) Project Area.
[AGENCY RESOLUTION](#) [CITY RESOLUTION](#)
- * (b) [Approval of an ordinance](#) by the City Council adopting the proposed Amendment to the SNI Redevelopment Plan to remove Naglee Park from the SNI Project Area.

CEQA: CEQA determination, File No. PP08-289, adopted by the Director of Planning, Building, and Code Enforcement, dated February 4, 2009. **[SNI]**

ADJOURN CITY COUNCIL PORTION OF THE MEETING

- **Adjournment**

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.

CITY OF SAN JOSE CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)

- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.