



# **REDEVELOPMENT AGENCY BOARD**

## **MINUTES**

**APRIL 13, 2010**

PETE CONSTANT  
ASH KALRA  
SAM T. LICCARDO  
KANSEN CHU  
NORA CAMPOS

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

CHUCK REED – CHAIR

PIERLUIGI OLIVERIO  
MADISON P. NGUYEN  
ROSE HERRERA  
JUDY CHIRCO  
NANCY PYLE

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

## Call to Order and Roll Call

**9:00 a.m.** - Closed Session, Council Chambers Conference Room W133

**Absent: None**

**3:26 p.m.** - Regular Session, Council Chambers, City Hall

**Absent: None.**

- Open Forum
- Closed Session Report
- Orders of the Day

The Orders of the Day were approved. (11-0)

## 1 CEREMONIAL ITEMS

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None

## 2 CONSENT CALENDAR

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### 2.1 Approval of Minutes.

- (a) Approval of Redevelopment Agency Minutes for the Regular meeting of March 23, 2010.

Documents Filed: Regular minutes of March 23, 2010.

Action: The Redevelopment Agency minutes of March 23, 2010, were approved. (11-0)

### 2.2 Approval of Council/Board Committee Reports.

#### **Recommendations:**

- (a) Report of the Public Safety, Finance and Strategic Support Committee – March 18, 2009. (Nguyen)
- (b) Report of the Rules and Open Government Committee – March 10, 2010. (Mayor)
- (c) Report of the Rules and Open Government Committee – March 17, 2010. (Mayor)
- (d) Report of the Rules and Open Government Committee – March 24, 2010. (Mayor)

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## 2 CONSENT CALENDAR

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*(Cont'd)*

- 2.2 Documents Filed: Reports of the Public Safety, Finance and Strategic Support Committee of March 18, 2010, and the Rules and Open Government Committee meetings of March 10, 17, and 24, 2010.

Action: The reports of the Public Safety, Finance and Strategic Support Committee and the Rules and Open Government Committee were approved.  
(11-0)

## 3 GENERAL

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None

## 4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

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None

## 5 HOUSING

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None

## 6 PUBLIC FACILITIES AND SPACES

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None

## 7 PRIVATE DEVELOPMENT

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- 7.1 **Approval of an amendment to the OMA with CIM/Twohy LLC allowing subordination of a HUD Loan Agreement on the Twohy Building.**

**Recommendation:** Approval of the first amendment to the Operations and Maintenance Agreement (OMA) between the Agency and CIM/Twohy LLC, and Subordination and Estoppel Agreement, allowing subordination of the OMA and other Agency documents to a Housing and Urban Development (HUD) Loan Agreement on the Twohy Building located at 210 South First Street. CEQA: Not a project. [SAN ANTONIO PLAZA]

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## **7 PRIVATE DEVELOPMENT**

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*(Cont'd)*

- 7.1** Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated April 8, 2010, recommending approval of the first amendment to the OMA between the Agency and CIM/Twohy LLC, and Subordination and Estoppel Agreement, allowing subordination of the OMA and other Agency documents to a Housing and Urban Development Loan Agreement on the Twohy Building.

Action: The first amendment to the OMA between the Agency and CIM/Twohy LLC, and Subordination and Estoppel Agreement were approved. (11-0)

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

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**No Redevelopment-related actions were discussed on the City Council agenda today.**

**The City Council convened at 3:28 p.m. to consider Items 8.1 – 8.7 in a Joint Session.**

- 8.1 Approval of a Cooperation Agreement authorizing conveyance of property at 406 N. Autumn Street.**

**Recommendation:** City Council and Redevelopment Agency Board approval of a Cooperation Agreement authorizing the conveyance of the property located at 406 N. Autumn Street from the City to the Agency. CEQA: Autumn Extension/Coleman Widening EIR, Resolution No. 74870.  
**[JULIAN/STOCKTON]** (Deferred 3/23/10, Item 8.1)

Documents Filed: None.

Action: Deferred to 4/20/10

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

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### **8.2 Approval of a Purchase and Sale and Development Agreement with Sobrato Interests III for the sale of Properties located in San Antonio Plaza Redevelopment Project Area.**

#### **Recommendation:**

- (a) The Redevelopment Agency Board approve a Purchase and Sale and Development Agreement with Sobrato Interests III for the sale of Agency-owned properties located at 285 South Market Street and 8 East San Fernando Street for a sale price in the amount of \$20,000,000, less related closing costs and,
- (b) The City Council adopt a resolution approving the sale of certain sites located at 285 South Market Street and 8 East San Fernando Street to Sobrato Interests III, 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 San Antonio Plaza 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 obligations authorized.

CEQA: Downtown Strategy 2000 EIR, Resolution No. 72767; PP05-272. [SAN ANTONIO PLAZA]

Documents Filed: None.

Action: Deferred to 4/20/10

### **8.3 Approval of Purchase and Sale Agreement for acquisition of a portion of 111 West Saint John Street for the North San Pedro Housing Project.**

#### **Recommendation:**

- (a) Redevelopment Agency Board approval of a Purchase and Sale Agreement with Community Towers I, LLC, Community Towers II, LLC, Community Towers III, LLC and Community Towers IV, LLC in the amount of \$510,600 plus related closing costs, for the acquisition of a portion of 111 West Saint John Street to allow for development of the North San Pedro Housing Project.

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

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*(Cont'd)*

- 8.3 (b) Adoption of a resolution by the City Council authorizing the City Manager to accept the property and execute any and all related documents.  
CEQA: Resolution No 72170. (Proposition 1C Funding) [JULIAN-STOCKTON]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated April 2, 2010, recommending (a) Agency approval of a Purchase and Sale Agreement with Community Towers I, LLC, Community Towers II, LLC, Community Towers III, LLC and Community Towers IV, LLC for the acquisition of a portion of 111 West Saint John Street, and (b) adoption of a resolution by the City Council authorizing the City Manager to accept the property and execute any and all related documents.

Action: The Purchase and Sale Agreement for the acquisition of a portion of 111 West Saint John Street was approved. Council Resolution No. 75340 was adopted. (11-0)

- 8.4 **Approval of Purchase and Sale Agreement for acquisition of a portion of 210 West Saint James Street for the North San Pedro Housing Project.**

**Recommendation:**

- (a) Redevelopment Agency Board approval of a Purchase and Sale Agreement with Green Valley Corporation in the amount of \$149,600 plus related closing costs, for the acquisition of a portion of 210 West Saint James Street to allow for development of the North San Pedro Housing Project.
- (b) Adoption of a resolution by the City Council authorizing the City Manager to accept the property and execute any and all related documents.  
CEQA: Resolution No 72170. (Proposition 1C Funding) [JULIAN-STOCKTON]

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

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*(Cont'd)*

- 8.4** Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated April 2, 2010, recommending (a) Agency approval of a Purchase and Sale Agreement with Green Valley Corporation for the acquisition of a portion of 210 West Saint James Street, and (b) adoption of a resolution by the City Council authorizing the City Manager to accept the property and execute any and all related documents.

Action: The Purchase and Sale Agreement for the acquisition of a portion of 210 West Saint James Street was approved. Council Resolution No. 75340 was adopted. (11-0)

- 8.5** **Approval of Purchase and Sale Agreement for acquisition a portion of 180 West Saint James Street for the North San Pedro Housing Project.**

**Recommendation:**

- (a) Redevelopment Agency Board approval of a Purchase and Sale Agreement with St. James Enterprises in the amount of \$611,400 plus related closing costs, for the acquisition of a portion of 180 West Saint James Street to allow for development of the North San Pedro Housing Project.
- (b) Adoption of a resolution by the City Council authorizing the City Manager to accept the property and execute any and all related documents.  
CEQA: Resolution No 72170. (Proposition 1C Funding) [JULIAN-STOCKTON]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated April 2, 2010, recommending (a) Agency approval of a Purchase and Sale Agreement with St. James Enterprises for the acquisition of a portion of 180 West Saint James Street, and (b) adoption of a resolution by the City Council authorizing the City Manager to accept the property and execute any and all related documents.

Action: The Purchase and Sale Agreement for the acquisition of a portion of 180 West Saint James Street was approved. Council Resolution No. 75340 was adopted. (11-0)

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

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### **8.6 Approval of an amendment to the Inclusionary Housing Policy.**

**Recommendation:** Redevelopment Agency Board and City Council approval of an amendment to the City/Agency Inclusionary Housing Policy in Redevelopment Project Areas, temporarily suspending inclusionary housing requirements related to newly constructed rental units until the earlier of: January 1, 2013, or the effective date of the City's Inclusionary Housing Ordinance to ensure compliance with case law. CEQA: PP08-258, addendum to the General Plan Update EIR, Resolution No. 65459 [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated April 1, 2010, recommending approval by the Agency Board and City Council of an amendment to the City/Agency Inclusionary Housing Policy in Redevelopment Project Areas, temporarily suspending inclusionary housing requirements related to newly constructed rental units until the earlier of: January 1, 2013, or the effective date of the City's Inclusionary Housing Ordinance to ensure compliance with case law

Public Comments: Kerri Hamilton spoke to the action and James Zahradka, Law Foundation of Silicon Valley, spoke in support of a delay of this item.

Action: Board member Kalra amended the motion requesting that the action be continued to a date determined by the Rules and Open Government Committee. Board member Liccardo concurred in the proposed amendment to continue the item for no more than four weeks. The proposed amendment to the City/Agency Inclusionary Housing Policy in Redevelopment Project Areas was continued and referred to the next available Rules and Open Government Committee for a determination of the date. (11-0)

### **8.7 Approval of actions related to the installation of new fixed seats for the Civic Auditorium.**

**Recommendation:**

- (a) Adoption of a resolution by the Agency Board approving the proposed increase of \$386,027.70 to the Agency's FY 2009-10 Adopted Capital Budget Miscellaneous Revenue and adjustments to the Agency's FY 2009-10 Adopted Capital Budget by adding \$386,027.70 to the Civic Auditorium Project line item in the Park Center Redevelopment Area, amending the FY 2009-2010 Agency appropriations resolution.

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

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*(Cont'd)*

- 8.7 (b) Agency Board approval of a contract with Irwin Seating Company in the amount of \$386,027.70, including three alternates, for the Civic Auditorium Fixed Seating Project.

CEQA: Exempt, File No. PP09-122. [PARK CENTER]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated April 2, 2010, recommending (a) adoption of a resolution by the Agency Board approving the proposed increase of \$386,027.70 to the Agency's FY 2009-10 Adopted Capital Budget Miscellaneous Revenue and adjustments to the Agency's FY 2009-10 Adopted Capital Budget by adding \$386,027.70 to the Civic Auditorium Project line item in the Park Center Redevelopment Area, amending the FY 2009-2010 Agency appropriations resolution, and (b) Agency Board approval of a contract with Irwin Seating Company for the Civic Auditorium Fixed Seating Project.

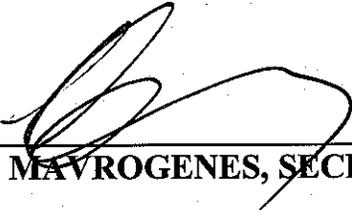
Public Comments: Ann Hurst, Theater Preservation Fund, spoke in support of item 8.7.

Action: Agency Resolution No. 5957 adopted. The contract with Irwin Seating Company for the Civic Auditorium Fixed Seating Project, including three alternates, was approved. (11-0)

**The City Council portion of the meeting adjourned at 3:49 p.m.**

- **Adjournment**  
**The Redevelopment Agency Board adjourned at 3:49 p.m.**

**ATTEST:**



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**HARRY S. MAVROGENES, SECRETARY**