



# **REDEVELOPMENT AGENCY BOARD**

## **MINUTES**

**DECEMBER 7, 2010**

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

DISTRICT 1  
DISTRICT 2  
DISTRICT 3      CHUCK REED – CHAIR  
DISTRICT 4  
DISTRICT 5

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.

**5:18 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 October 26, 2010.
- (b) Approval of Redevelopment Agency Minutes for the Regular meeting of November 2, 2010.

Documents Filed: Regular minutes of October 26 and November 2, 2010.

Action: The Redevelopment Agency minutes of October 26 and November 2, 2010 were approved. (11-0)

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

- (a) Report of the Rules and Open Government Committee – November 3, 2010.  
(Mayor)
- (b) Report of the Rules and Open Government Committee – November 10, 2010.  
(Mayor)
- (c) Report of the Rules and Open Government Committee – November 17, 2010.  
(Mayor)

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## **2 CONSENT CALENDAR**

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- 2.2 Documents Filed:** The reports of the Rules and Open Government Committee meetings of November 3, November 10 and November 17, 2010.

**Action:** The reports of the Rules and Open Government Committee meetings of November 3, November 10 and November 17, 2010, were approved. (11-0)

## **3 GENERAL**

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**3.1 Report of the Executive Director, Harry S. Mavrogenes (Verbal Report)**

Executive Director Harry S. Mavrogenes reported that on September 21, 2010, the Silicon Valley/San Jose Business Journal recognized the Redevelopment Agency with its Community Impact Award for the Edenvale Community Center Project. This award from the Business Journal recognized the excellence in design and sustainability of this essential Strong Neighborhoods Initiative project for the Edenvale and Great Oaks Neighborhoods.

**3.2 Approval of the Comprehensive Annual Financial Report for Fiscal Year 2009-10.**

**Recommendations:**

- (a) Approval of the Comprehensive Annual Financial Report of the Redevelopment Agency of the City of San Jose for the Fiscal Year ending June 30, 2010.
  - (b) Acceptance of the Management Letter from the Independent Auditor for the Fiscal Year ending June 30, 2010.
- CEQA: Not a project. [MERGED]

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### 3 GENERAL

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*(Cont'd)*

- 3.2 Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated November 24, 2010, recommending that the Redevelopment Agency Board approve the Comprehensive Annual Financial Report of the Redevelopment Agency for the Fiscal Year ending June 30, 2010 and accept the Management Letter from the Independent Auditor for the Fiscal Year ending June 30, 2010.

Action: The Comprehensive Annual Financial Report of the Redevelopment Agency for the Fiscal Year ending June 30, 2010, was approved and the Management Letter from the Independent Auditor for the Fiscal Year ending June 30, 2010, was accepted. (11-0)

### 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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- 6.1 **Approval of an amendment to the agreement with Anderson Tree Care, extending the term by two years.**

**Recommendation:** Approval of the fourth amendment to the agreement with Anderson Tree Care, extending the term of the agreement by two years, through December 31, 2012, and decreasing the contract in the amount of \$36,000, resulting in a revised current balance of approximately \$65,000 for two years of services. CEQA: Exempt. File No. PP08-035. [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated November 24, 2010, recommending approval of the fourth amendment to the agreement with Anderson Tree Care.

Action: The fourth amendment to the agreement with Anderson Tree Care was approved. (11-0)

## **7 PRIVATE DEVELOPMENT**

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None

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

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*Item 9.1 on the City Council's Agenda, pertaining to "City Council and Redevelopment Agency Committee Appointments" was heard and action taken during the Council meeting.*

**The City Council convened at 5:28 p.m. to consider Item 8.1 in a Joint Session.**

### **8.1 Approval of amendments to DDAs with North San Pedro Townhomes and San Pedro Life I, LLC, for the North San Pedro Housing site.**

**Recommendations:** Conduct a public hearing followed by the actions below by the City Council and Redevelopment Agency Board related to Disposition and Development Agreements (DDAs) with North San Pedro Townhomes and San Pedro Life I, LLC, for the North San Pedro Housing site:

- (a) Adoption of a resolution by the Redevelopment Agency Board approving the First Amendment to the Amended and Restated Disposition and Development Agreement (DDA) with 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,
- (b) Adoption of a resolution by the City Council approving the sale to North San Pedro Townhomes LLC 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, accepting the 33433 Summary Report, 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.

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## 8 JOINT REDEVELOPMENT AGENCY/COUNCIL

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- 8.1 (c) Adoption of a resolution by the Redevelopment Agency Board approving the First Amendment to the Amended and Restated Disposition and Development with San Pedro Life I, 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,
- (d) Adoption of a resolution by the City Council approving the sale to San Pedro Life I, LLC 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, accepting the 33433 Summary Report 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.

CEQA: Not a project.

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated November 23, 2010, recommending that the City Council and Redevelopment Agency Board conduct a Public Hearing and (a) adopt a resolution by the Agency Board approving the First Amendment to the Amended and Restated DDA with 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, (b) adopt a resolution by the City Council approving the sale to North San Pedro Townhomes LLC 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, accepting the 33433 Summary Report, and finding that the sale of the property will assist in the elimination of

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

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*(Cont'd)*

- 8.1 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 (c) adopt a resolution by the Agency Board approving the First Amendment to the Amended and Restated DDA with San Pedro Life I, 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 (d) adopt a resolution by the City Council approving the sale to San Pedro Life I, LLC 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, accepting the 33433 Summary Report 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.

Action: The Public Hearing was opened, no comments were received, and the Public Hearing was continued to December 14, 2010. (11-0)

**The City Council portion of the meeting adjourned at 5:28 p.m.**

- **Adjournment**

**The Redevelopment Agency Board adjourned at 5:28 p.m.**

**ATTEST:**

  

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**HARRY S. MAVROGENES, SECRETARY**