



REDEVELOPMENT AGENCY BOARD

MINUTES

JANUARY 8, 2008

PETE CONSTANT
FORREST WILLIAMS
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
DAVID D. CORTESE
JUDY CHIRCO
NANCY PYLE

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Call to Order and Roll Call

4:09 p.m. - Regular Session, Council Chambers, City Hall

Absent: Board members – Constant (Excused)

- Open Forum
- Closed Session Report

None.

- Orders of the Day

The Orders of the Day were approved. (10-0-1) Absent: Constant.

1 CEREMONIAL ITEMS

None

2 CONSENT CALENDAR

2.1 Approval of Board Meeting Minutes.

Recommendation: Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of October 23, 2007
- (b) Regular meeting of November 6, 2007
- (c) Regular meeting of November 20, 2007

Documents Filed: Regular minutes of October 23, November 6 and November 20, 2007.

Action: The Redevelopment Agency minutes were approved. (10-0-1) Absent: Constant.

2.2 Report of the Rules and Open Government Committee – December 5, 2007.

Chair Reed, Chairperson

- (a) Review December 11, 2007, Final Agenda
- (b) Review December 18, 2007 Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

Documents Filed: Report of the Rules and Open Government Committee of December 5, 2007.

Action: The Rules and Open Government Committee report and actions of December 5, 2007, were approved. (10-0-1) Absent: Constant.

2 CONSENT CALENDAR

2.3 Report of the Rules and Open Government Committee – December 12, 2007. Chair Reed, Chairperson

- (a) Review December 18, 2007, Final Agenda
- (b) Review December 25, 2007 Draft Agenda; Meeting cancelled.

Documents Filed: Report of the Rules and Open Government Committee of December 12, 2007.

Action: The Rules and Open Government Committee report and actions of December 12, 2007, were approved. (10-0-1) Absent: Constant.

2.4 Approval of an amendment to the agreement with Earth Tech for groundwater monitoring of the Japantown Corporation Yard.

Recommendation: Approval of the third amendment to the agreement with Earth Tech, in the amount of \$48,800 for a total contract amount of \$287,929, for environmental testing, assessment and groundwater monitoring on City-owned property known as the Japantown Corporation Yard, generally bounded by 6th, 7th, Jackson, and Taylor Streets. CEQA: Resolution No. 64990, and addenda thereto PP07-224. [JAPANTOWN]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated December 20, 2007, recommending approval of the third amendment to the agreement with Earth Tech for environmental testing, assessment and groundwater monitoring.

Action: The Redevelopment Agency Board approved the third amendment to the agreement with Earth Tech. (10-0-1) Absent: Constant.

3 GENERAL

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

5 HOUSING

6 PUBLIC FACILITIES AND SPACES

6.1 Acceptance of a grant from the Packard Humanities Institute for miscellaneous improvements for the California Theatre project and related budget actions.

Recommendations:

- (a) Approval of an agreement for the ninth grant from the Packard Humanities Institute, in the amount of \$1,000,000, effectuating the Settlement Agreement between the Redevelopment Agency, Swinerton Builders and its subcontractors, for a total settlement of \$2,970,000; and,
- (b) Adoption of a resolution amending the FY 2007-2008 Revenue Resolution to add \$1,000,000 from Packard Humanities Institute; amending the FY 2007-2008 Adopted Capital Budget to add \$1,000,000 to the California Theatre project line in the Market-Gateway Redevelopment Area and to re-allocate \$2,000,000 from the Litigation Services/Reserves project line in the Merged Redevelopment Area to the California Theatre project line in the Market-Gateway Redevelopment Area; and amending the FY 2007-2008 Agency appropriations resolution.

CEQA: Resolution No. 68839, Final SEIR "Downtown Strategy Plan", adopted April 27, 1999. File Number HP00-02-004 & RCP00-02-001. **[MARKET GATEWAY]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated December 20, 2007, recommending; (a) approval of an agreement for the ninth grant from the Packard Humanities Institute; and (b) adoption of a resolution amending the FY 2007-2008 Revenue Resolution to add \$1,000,000 from Packard Humanities Institute; amending the FY 2007-2008 Adopted Capital Budget to add \$1,000,000 to the California Theatre project line in the Market-Gateway Redevelopment Area and to re-allocate \$2,000,000 from the Litigation Services/Reserves project line in the Merged Redevelopment Area to the California Theatre project line in the Market-Gateway Redevelopment Area; and amending the FY 2007-2008 Agency appropriations resolution.

(Item continued on the next page)

6 PUBLIC FACILITIES AND SPACES

(Cont'd)

6.1 Action: The Redevelopment Agency Board approved an agreement for the ninth grant from the Packard Humanities Institute, effectuating the Settlement Agreement between the Redevelopment Agency, Swinerton Builders and its subcontractors, for a total settlement of \$2,970,000. Agency Resolution No. 5804 adopted. (10-0-1) Absent: Constant.

6.2 **Actions related to a Caltrans Community-Based Transportation Planning Grant Agreement.**

Recommendations: Adoption of a resolution authorizing the Executive Director to apply for a Caltrans Community-Based Transportation Planning Grant, in the amount of \$250,000, for The Alameda/State Highway 82 study of future improvements for that corridor and authorizing the Executive Director to enter into the Grant Agreement with Caltrans if it is awarded. CEQA: Exempt, File No. PP07- 276. [THE ALAMEDA]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated December 20, 2007, recommending adoption of a resolution authorizing the Executive Director to apply for a Caltrans Community-Based Transportation Planning Grant for The Alameda/State Highway 82 study of future improvements for that corridor and authorizing the Executive Director to enter into the Grant Agreement with Caltrans if it is awarded.

Action: Agency Resolution No. 5805 adopted. (10-0-1) Absent: Constant.

7 PRIVATE DEVELOPMENT

7.1 **Approval of agreement with PharmaBioSource California, Inc., to evaluate the feasibility of a contract bio-manufacturing facility.**

Recommendation: Approval of an agreement with PharmaBioSource California, Inc., in the amount of \$200,000, to evaluate the feasibility of locating a contract bio-manufacturing facility in the Edenvale Redevelopment Project Area. CEQA: Exempt. File No. PP07-189. [EDENVALE]

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7 PRIVATE DEVELOPMENT

(Cont'd)

- 7.1 Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated December 20, 2007, recommending approval of an agreement with PharmaBioSource California, Inc., to evaluate the feasibility of locating a contract bio-manufacturing facility.

Action: The Redevelopment Agency Board approved the agreement with PharmaBioSource California, Inc. (10-0-1) Absent: Constant.

- 7.2 **Direction to the Executive Director to work with the San Jose Fire Museum on potential reuse of the former Fire Station #1 site.**

Recommendations: Adoption of a resolution by the Agency Board directing the Executive Director to provide until June 24, 2008, for the San Jose Fire Museum to submit a comprehensive feasibility plan and raise funds in an effort to acquire the former Fire Station #1, Agency-owned property located at the northwest corner of Market and Saint James Streets, for the purpose of developing a fire museum. CEQA: Not a project. [JULIAN-STOCKTON] (Deferred 12/11/07, Item 7.2)

Documents Filed: Replacement memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated December 21, 2007, recommending adoption of a resolution by the Agency Board directing the Executive Director to provide until June 24, 2008, for the San Jose Fire Museum to submit a comprehensive feasibility plan and raise funds in an effort to acquire the former Fire Station #1, Agency-owned property located at the northwest corner of Market and Saint James Streets, for the purpose of developing a fire museum.

Action: Agency Resolution No. 5806 adopted. (10-0-1) Absent: Constant.

7 PRIVATE DEVELOPMENT

7.3 Approval of amendments to consulting agreements for the proposed San Jose Electronic Transportation Development Center.

Recommendations:

- (a) Approval of the first amendment to the agreement with the San Jose State University Foundation, in the amount of \$62,428 for a total amount not to exceed \$107,428, for the services of its Environmental Business Cluster for the planning of a proposed San Jose Electronic Transportation Development Center in a Redevelopment Project Area; and,
- (b) Approval of the first amendment to the agreement with Synergy EV, Inc., in the amount of \$75,000 for a total amount not to exceed \$260,000, to provide technical assistance for the planning of a proposed San Jose Electronic Transportation Development Center in a Redevelopment Project Area.

CEQA: Not a project. [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated December 20, 2007, recommending (a) approval of the first amendment to the agreement with the San Jose State University Foundation for the services of its Environmental Business Cluster for the planning of a proposed San Jose Electronic Transportation Development Center; and (b) approval of the first amendment to the agreement with Synergy EV, Inc. to provide technical assistance for the planning of a proposed San Jose Electronic Transportation Development Center.

Action: The Redevelopment Agency Board approved (a) the first amendment to the agreement with the San Jose State University Foundation and (b) the first amendment to the agreement with Synergy EV, Inc., for the planning of a proposed San Jose Electronic Transportation Development Center. (10-0-1)
Absent: Constant.

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

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

The City Council convened at 4:29 p.m. to consider Item 8.1 in a Joint Session.

8.1 Approval of an ordinance amending the Alum Rock Avenue Redevelopment Project Area Plan and related budget action.

Recommendation: City and Redevelopment Agency actions related to the adoption of the Alum Rock Avenue Redevelopment Plan Amendment:

- (a) City Council approval of an ordinance amending the Alum Rock Avenue Redevelopment Plan to approve the inclusion of Fire Station #2 as a specific project in the Alum Rock Avenue Redevelopment Plan; and,
- (b) Adoption of a resolution by the Redevelopment Agency Board approving a shift of \$2,700,000 from the Adopted FY 2008-09 Capital Improvement Program to the FY 2007-08 Adopted Capital Budget for the Alum Rock Fire Station #2 project line in the Neighborhood Business Investment Program Redevelopment Area, and amending the FY 2007-08 appropriations resolution.

CEQA: Exempt. File No. PP05-220 [ALUM ROCK]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated December 20, 2007, recommending (a) City Council approval of an ordinance amending the Alum Rock Avenue Redevelopment Plan to approve the inclusion of Fire Station #2 as a specific project in the Alum Rock Avenue Redevelopment Plan; and (b) adoption of a resolution by the Redevelopment Agency Board approving a shift of \$2,700,000 from the Adopted FY 2008-09 Capital Improvement Program to the FY 2007-08 Adopted Capital Budget for the Alum Rock Fire Station #2 project line in the Neighborhood Business Investment Program Redevelopment Area, and amending the FY 2007-08 appropriations resolution.

(Item continued on the next page)

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

(Cont'd)

- 8.1 Action: Ordinance No. 28228 adopted. Agency Resolution No. 5807 adopted.
(10-0-1) Absent: Constant.

The City Council portion of the meeting adjourned at 4:30 p.m.

The Redevelopment Agency Board adjourned at 4:30 p.m.

ATTEST:



HARRY S. MAVROGENES, SECRETARY