



REDEVELOPMENT AGENCY BOARD

MINUTES

JUNE 17, 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

8:30 a.m. - Closed Session, Council Chambers Conference Room W133

Absent: None

8:01 p.m. - Regular Session, Council Chambers, City Hall

Absent: None

- Open Forum
- Closed Session Report
None.
- Orders of the Day
The Orders of the Day were approved. (11-0)

1 CEREMONIAL ITEMS

None

2 CONSENT CALENDAR

2.1 Report of the Public Safety, Finance and Strategic Support Committee – May 15, 2008.

Boardmember Nguyen, Chairperson

“1.a-c. Redevelopment Agency Monthly Financial Reports for March 2008.”

Documents Filed: Report of the Rules and Open Government Committee of May 15, 2008.

Action: The Rules and Open Government Committee report and actions of May 15, 2008, were approved. (11-0)

2.2 Report of the Rules and Open Government Committee – May 28, 2008.

Chair Reed, Chairperson

- (a) Review June 3, 2008, Final Agenda.
- (b) Review June 10, 2008, Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

Documents Filed: Report of the Rules and Open Government Committee of May 28, 2008.

Action: The Rules and Open Government Committee report and actions of May 28, 2008, were approved. (11-0)

3 GENERAL

3.1 Approval of an agreement with the San Jose Downtown Association for promotional and marketing consulting services.

Recommendation: Approval of an agreement with the San Jose Downtown Association, in an amount not to exceed \$525,000, for promotional and marketing and public space programming for the period July 1, 2008 through June 30, 2009. CEQA: Exempt File No. PP08-105. [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated June 5, 2008, recommending approval an agreement with the San Jose Downtown Association, in an amount not to exceed \$525,000, for promotional and marketing and public space programming for the period July 1, 2008 through June 30, 2009.

Action: Deferred to 6/24/08. (11-0)

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

4.1 Approval to reject all bids for the East Santa Clara and Lincoln Avenue Tree Planting Project.

Recommendation: Approval to reject all bids for the East Santa Clara Street and Lincoln Avenue Tree Planting Project. CEQA: Exempt, File No. PP08-035. [SNI]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes dated June 5, 2008, recommending adoption of a resolution awarding a contract to Lonestar Landscape, Inc., the lowest responsive bidder, in the amount of \$98,850 and authorizing establishment of a contingency in the amount of \$9,885, for a total contract amount of \$108,735, for the East Santa Clara Street and Lincoln Avenue Tree Planting Project. Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes dated June 12, 2008, recommending rejection of all bids for the East Santa Clara and Lincoln Avenue Tree Planting Project.

Action: The Redevelopment Agency Board rejected all bids for the East Santa Clara Street and Lincoln Avenue Tree Planting Project. (11-0)

5 HOUSING

None

6 PUBLIC FACILITIES AND SPACES

6.1 Award of a construction contract for the Fountain Alley Pedestrian Walk and related fiscal actions.

Recommendations:

- (a) Adoption of a resolution by the Agency Board approving the award of a construction contract to Joseph J Albanese, the lowest responsive bidder, in the amount of \$431,000, and authorizing a 15% construction contingency in the amount of \$65,000, for a total construction budget not to exceed \$496,000 for construction of the Fountain Alley Pedestrian Walk; and,
- (b) Adoption of a resolution by the Agency Board approving a proposed adjustment to the Agency's FY 2007-2008 Adopted Capital Budget, shifting \$390,000 from Capital Reserves and amending the FY 2007-2008 Agency appropriations resolution.
- (c) Adoption of a resolution by the City Council making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Agency funding of the Fountain Alley Pedestrian Walk Project.

CEQA: Resolution No. 72767 Final EIR entitled, "San Jose Downtown Strategy 2000," and Resolution No. 71039.1 Final EIR entitled, "Mixed-Use Project and Century Center Plan Amendment," File No. PP08-091. [MERGED] (Moved and renumbered as Item 8.2)

7 PRIVATE DEVELOPMENT

7.1 Actions related to a Purchase and Sale Agreement with KNTV Television, Inc., for acquisition of real property located at 645 Park Avenue.

Recommendation: Adoption of a resolution authorizing the Executive Director to execute a Purchase and Sale Agreement and the related closing documents and close escrow with KNTV Television, Inc. (Owner), in the amount of \$6,000,000 plus related closing costs for the acquisition of real property located at 645 Park Avenue, upon the earlier of: (i) issuance of a No Further Action (NFA) letter from the Regional Water Quality Control Board or (ii) June 24, 2008. CEQA: Downtown Strategy 2000 EIR, Resolution No. 72767. [BURBANK-DEL MONTE SNI]

(Item continued on the next page)

7 PRIVATE DEVELOPMENT

(Cont'd)

- 7.1 Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes dated June 5, 2008, recommending approval of a Purchase and Sale Agreement with KNTV Television, Inc, in the amount of \$6,000,000 plus related closing costs for the acquisition of real property located at 645 Park Avenue. Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes dated June 12, 2008, recommending Adoption of a resolution authorizing the Executive Director to execute a Purchase and Sale Agreement and the related closing documents and close escrow with KNTV Television, Inc, in the amount of \$6,000,000 plus related closing costs for the acquisition of real property located at 645 Park Avenue, upon the earlier of: (i) issuance of a No Further Action (NFA) letter from the Regional Water Quality Control Board or (ii) June 24,2008.

Public Comments: William Garbett spoke concerning Item 7.1.

Action: Agency Resolution No. 5834 adopted. (11-0)

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

Items 9.1 – 9.2 on the City Council's Agenda relating to “Mayor’s June Budget Message,” and “FY 2008-09 Operating & Capital Budgets” were heard during the Council meeting that began at 10:00 a.m. today. Item 9.3, “Freestanding News Racks” was heard and deferred to August 12, 2008.

The City Council convened at 8:09 p.m. to consider Items 8.1 – 8.2 in a Joint Session.

- 8.1 **Approval of a Reimbursement Agreement with CTS Electronic Manufacturing Solutions.**

Recommendations:

- (a) Adoption of a resolution by the Redevelopment Agency Board approving a Reimbursement Agreement with CTS Electronic Manufacturing Solutions, Inc., in an amount not to exceed \$500,000, to provide financial assistance for acquisition of capital equipment to be installed in its industrial and manufacturing headquarters facility in the Edenvale Redevelopment Project Area and making certain finding as required by Redevelopment Law.

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8 JOINT REDEVELOPMENT AGENCY/COUNCIL

(Cont'd)

- 8.1 (b) Adoption of a resolution by the Redevelopment Agency Board approving an adjustment to the FY 2007-08 Adopted Capital Budget, adding \$500,000 to the Edenvale Emerging Technology Fund project line in the Edenvale Redevelopment Project Area, and amend the FY 2007-2008 Agency appropriations resolution.
- (c) Adoption of a resolution by the City Council directing the City Manager to pursue Employment Training Panel Funds, in an amount up to \$100,000, to support the workforce development efforts of CTS Electronic Manufacturing Solutions.

CEQA: Exempt, File No. SP08-022. [EDENVALE]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone dated June 5, 2008, recommending (a) adoption of a resolution by the Redevelopment Agency Board approving a Reimbursement Agreement with CTS Electronic Manufacturing Solutions, Inc. and making certain finding as required by Redevelopment Law, (b) adoption of a resolution by the Redevelopment Agency Board approving an adjustment to the FY 2007-08 Adopted Capital Budget and amending the FY 2007-2008 Agency appropriations resolution, and (c) adoption of a resolution by the City Council directing the City Manager to pursue Employment Training Panel Funds to support the workforce development efforts of CTS Electronic Manufacturing Solutions.

Public Comments: Jim Handyside spoke in support of Item 8.1.

Action: Agency Resolutions No. 5835 & 5836 adopted. Council Resolution No. 74457 adopted. (11-0)

8.2 **Award of a construction contract for the Fountain Alley Pedestrian Walk and related fiscal actions.**

Recommendations:

- (a) Adoption of a resolution by the Agency Board approving the award of a construction contract to Joseph J Albanese, the lowest responsive bidder, in the amount of \$431,000, and authorizing a 15% construction contingency in the amount of \$65,000, for a total construction budget not to exceed \$496,000 for construction of the Fountain Alley Pedestrian Walk; and,

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8 JOINT REDEVELOPMENT AGENCY/COUNCIL

(Cont'd)

- 8.2 (b) Adoption of a resolution by the Agency Board approving a proposed adjustment to the Agency's FY 2007-2008 Adopted Capital Budget, shifting \$390,000 from Capital Reserves and amending the FY 2007-2008 Agency appropriations resolution.
- (c) Adoption of a resolution by the City Council making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Agency funding of the Fountain Alley Pedestrian Walk Project.
CEQA: Resolution No. 72767 Final EIR entitled, "San Jose Downtown Strategy 2000," and Resolution No. 71039.1 Final EIR entitled, "Mixed-Use Project and Century Center Plan Amendment," File No. PP08-091. **[MERGED]** (Renumbered and moved from Item 6.1)

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes dated June 5, 2008, recommending (a) adoption of a resolution by the Agency Board approving the award of a construction contract to Joseph J Albanese and authorizing a 15% construction contingency for construction of the Fountain Alley Pedestrian Walk; and, (b) adoption of a resolution by the Agency Board approving a proposed adjustment to the Agency's FY 2007-2008 Adopted Capital Budget and amending the FY 2007-2008 Agency appropriations resolution, and (c) adoption of a resolution by the City Council making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Agency funding of the Fountain Alley Pedestrian Walk Project.

Action: Agency Resolutions No. 5837 & 5838 adopted. Council Resolution No. 74458 adopted. (11-0)

The City Council portion of the meeting adjourned at 8:13 p.m.

- **Adjournment**

The Redevelopment Agency Board adjourned at 8:13 p.m.

ATTEST:


HARRY S. MAVROGENES, SECRETARY