



# **REDEVELOPMENT AGENCY SYNOPSIS**

**NOVEMBER 18, 2008**

PETE CONSTANT  
FORREST WILLIAMS  
SAM 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

3:46 p.m. - Regular Session, Council Chambers, City Hall

Absent: Constant, Nguyen.

- Open Forum
- Closed Session Report  
None.
- Orders of the Day  
The Orders of the Day were approved.

## 1 CEREMONIAL ITEMS

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None

## 2 CONSENT CALENDAR

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- 2.1 Report of the Public Safety, Finance and Strategic Support Committee – October 16, 2008.**  
**Boardmember Nguyen, Chairperson**  
“b.i-iii. Redevelopment Agency Monthly Financial Reports for August 2008.  
e. Report on Comprehensive Annual Financial Report.”  
**Approved**
- 2.2 Report of the Rules and Open Government Committee – October 8, 2008.**  
**Chair Reed, Chairperson**  
(a) Review October 14, 2008, Final Agenda: Meeting cancelled.  
(b) Review October 21, 2008, Draft Agenda.  
(c) Assign “Time Certain” for convening Redevelopment Agency Agenda.  
**Approved**
- 2.3 Report of the Rules and Open Government Committee – October 15, 2008.**  
**Chair Reed, Chairperson**  
(a) Review October 21, 2008, Final Agenda: Meeting cancelled.  
(b) Review October 28, 2008, Draft Agenda.  
(c) Assign “Time Certain” for convening Redevelopment Agency Agenda.  
**Approved**

## **2 CONSENT CALENDAR**

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### **2.4 Report of the Rules and Open Government Committee – October 22, 2008.**

#### **Chair Reed, Chairperson**

- (a) Review October 28, 2008, Final Agenda.
- (b) Review November 4, 2008, Draft Agenda.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.

**Approved**

### **2.5 Report of the Rules and Open Government Committee – October 29, 2008.**

#### **Chair Reed, Chairperson**

- (a) Review November 4, 2008, Final Agenda: Meeting cancelled.
- (b) Review November 11, 2008, Draft Agenda: Meeting cancelled.
- (c) Assign “Time Certain” for convening Redevelopment Agency Agenda.
- (d) Rules Committee Reviews, Recommendations and Approvals: Property Disclosures within the SNI by Kerry Adams-Hapner, Deputy Director of Economic Development for the City of San Jose.

**Approved**

### **2.6 Approval of Board Meeting Minutes.**

**Recommendation:** Approval of Redevelopment Agency Minutes for:

- (a) Regular meeting of October 7, 2008.
- (b) Regular meeting of October 28, 2008.

**Approved**

### **2.7 Approval of Master Agreements for civil engineering services.**

**Recommendations:**

- (a) Approval of a Master Agreement with JMH Weiss in the amount of \$50,000 for civil engineering services for two years; and,

**Approved**

- (b) Approval of a Master Agreement with Sandis Civil Engineers in the amount of \$50,000 for civil engineering services for two years; and,

**Approved**

## **2 CONSENT CALENDAR**

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- 2.7 (c) Adoption of a resolution adjusting the FY 2008-09 Adopted Capital Budget adding \$100,000 to the Project Support Studies project line in the Merged Redevelopment Area and amending the FY 2008-2009 Agency appropriations resolution.

**Agency Resolution 5871 adopted.**

CEQA: Not a project. [MERGED]

## **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 Loan Modification Agreement with Camera Cinemas at the Pavilion.**

**Recommendation:** Approval of the second amendment to the Commercial Building Loan and Facade Improvement Grant Agreement with Camera Cinemas at the Pavilion, L.P., amending and restating a Promissory Note to modify the payment schedule, reduce the interest rate, eliminate the default interest penalty previously assessed and provide Cameras with a credit against the amount of the monthly payments in exchange for certain services to be provided by Cameras.

CEQA: Not a project. [SAN ANTONIO PLAZA]

**Approved**

## **7 PRIVATE DEVELOPMENT**

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### **7.2 Approval of actions related to the use of theater space at 29 North San Pedro Street.**

#### **Recommendations:**

- (a) Approve an Amended and Restated Property Use Agreement with the Tabard Theatre Company to provide additional marketing and other management services during the public use period at the Theater on San Pedro Square located at 29 North San Pedro Street for an additional \$243,000 at a maximum cost for the remainder of the term of the Agreement to the Agency of \$423,000; and,

#### **Approved**

- (b) Adoption of a resolution approving an adjustment to the FY 2008-09 Adopted Capital Budget adding \$62,000 to the Competitive Art Capital Fund project line in the Merged Redevelopment Area and amending the FY 2008-2009 Agency appropriations resolution.

**Agency Resolution 5872 adopted.**

CEQA: Not a Project. [SNI]

## **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 3:48 p.m. to consider Items 8.1 – 8.2 in a Joint Session.**

### **8.1 Approval of actions by the Agency Board and City Council related to the SoFA Sidewalk Demonstration Project.**

#### **Recommendations:**

- (a) 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 proposed improvements in the SoFA Sidewalk Demonstration Project; and,

**Council Resolution 74674 adopted.**

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

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- 8.1 (b) Adoption of a resolution by the Redevelopment Agency Board awarding a contract to Bugler Construction for the SoFA Sidewalk Demonstration Project, the low bidder in the amount of \$374,400, and authorizing a construction contingency in the amount of \$37,440 for a total construction budget not to exceed \$411,840.

**Agency Resolution 5873 adopted.**

CEQA: Final EIR San Jose Downtown Strategy 2000, Resolution No 72767, File No. PP08-119. [MARKET GATEWAY]

- 8.2 **Agency Board and City Council actions related to issuance of Merged Area Redevelopment Project Revenue Bonds in an amount not to exceed \$38,855,000.**

**Recommendations:**

- (a) Adoption of a resolution by the Redevelopment Agency Board:
- (1) Authorizing the issuance of Merged Area Redevelopment Project Tax Allocation Bonds, in one tax-exempt series, in an aggregate principal amount not to exceed \$38,855,000 (the 2008A Bonds); and approving in substantially final form the Thirteenth Supplemental Indenture of Trust with Union Bank, as Trustee; and,
  - (2) Authorizing the competitive sale of the 2008A Bonds; and,
  - (3) Approving in substantially final form the Preliminary Official Statement(POS), Notice of Intention to Sell Bonds and Official Notices Inviting Bids and authorizing Agency staff to distribute the POS; and,
  - (4) Authorizing the General Counsel to negotiate and execute a first amendment to the agreement for Bond Counsel Services, in an amount not to exceed \$45,000 for a total contract amount not to exceed \$135,000, for Series 2008A and Series 2008 B Bonds; and,
  - (5) Authorizing all officers, agents and employees to take such actions and execute such documents necessary and desirable to accomplish issuance of the 2008A Bonds.

**Agency Resolution 5874 adopted.**

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

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- 8.2 (b) Adoption of a resolution by the City Council approving the issuance of Merged Area Redevelopment Project Tax Allocation Bonds, in one tax-exempt series, in an aggregate principal amount not to exceed \$38,855,000.

**Council Resolution 74675 adopted.**

- **Adjournment**

**The City Council and Redevelopment Agency Board adjourned the afternoon session at 3:49 p.m.**

**The City Council and Redevelopment Agency Board convened at 7:00 p.m. to consider Item 8.3 in a Joint Session.**

- 8.3 **Public Hearing on the Agency's FY 2008-2009 Capital Budget and 2009-2013 Capital Improvement Program.**

**Recommendation:** Joint Public Hearing on the Redevelopment Agency's Proposed FY 2008-2009 Capital Budget and 2009-2013 Capital Improvement Program.

**The Public Hearing was held**

**The Redevelopment Agency Board adjourned at 7:29 p.m.**