



# REDEVELOPMENT AGENCY BOARD

## MINUTES

**MAY 5, 2009**

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

7:25 p.m. - Regular Session, Council Chambers, City Hall

Absent: Chirco.

- Open Forum
- Closed Session Report

None.

- Orders of the Day

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

## 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 – April 16, 2009.

**Boardmember Nguyen, Chairperson**

3.1(a) Redevelopment Agency February 2009 Financial Reports.

- (1) Financial Statements
- (2) Capital Cost Report
- (3) Cash Flow Projections

Documents Filed: Report of the Public Safety, Finance and Strategic Support Committee meeting of April 16, 2009, with the Agency's Monthly Financial Reports for February 2009 attached.

Action: The Public Safety, Finance and Strategic Support Committee report and actions of April 16, 2009, were accepted. (10-0-1) Absent: Chirco.

### 2.2 Approval of Board Meeting Minutes.

**Recommendation:** Approval of Redevelopment Agency Minutes for the Regular meeting of April 7, 2009.

Documents Filed: Regular minutes of April 7, 2009.

Action: The Redevelopment Agency minutes of April 7, 2009, were approved. (10-0-1) Absent: Chirco.

## 2 CONSENT CALENDAR

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### 2.3 Report of the Rules and Open Government Committee – April 8, 2009. Chair Reed, Chairperson

“4.1 Review April 14, 2009, Final Agenda: Meeting cancelled.

4.2 Review April 21, 2009, Draft Agenda.

Documents Filed: Report of the Rules and Open Government Committee of April 8, 2009.

Action: The Rules and Open Government Committee report and actions of April 8, 2009, were approved. (10-0-1) Absent: Chirco.

### 2.4 Report of the Rules and Open Government Committee – April 15, 2009. Chair Reed, Chairperson

“4.1 Review April 21, 2009, Final Agenda.

4.2 Review April 28, 2009, Draft Agenda.

Documents Filed: Report of the Rules and Open Government Committee of April 15, 2009.

Action: The Rules and Open Government Committee report and actions of April 15, 2009, were approved. (10-0-1) Absent: Chirco.

### 2.5 Approval of an Intercreditor and Subordination Agreement between the Agency and Green Valley Enterprises.

**Recommendations:** Approval of an Intercreditor and Subordination Agreement between the Agency and Green Valley Enterprises, allowing subordination of a U.S. Department of Housing and Urban Development Loan Agreement on the Security Building located at 84 South First Street. CEQA: Not a project.

**[CENTURY CENTER]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated April 23, 2009, recommending approval of an Intercreditor and Subordination Agreement between the Agency and Green Valley Enterprises.

Action: The Intercreditor and Subordination Agreement between the Agency and Green Valley Enterprises was approved. (10-0-1) Absent: Chirco.

### **3 GENERAL**

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#### **3.1 Presentation of the Quarterly Projects Status Report.**

**Recommendation:** Acceptance of the Redevelopment Agency's Quarterly Projects Status Report for the Third Quarter, FY 2008-09.

Action: Deferred to May 12, 2009.

### **4 NEIGHBORHOOD IMPROVEMENT STRATEGIES**

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#### **4.1 Approval of an agreement with Siegel & Strain Architects for architectural and construction observation services.**

**Recommendations:** Approval of an agreement with Siegel & Strain Architects, in the amount of \$560,000, for architectural services and construction observation services through project completion for the Hoffman/Via Monte Neighborhood Center. CEQA: Not a project. [HOFFMAN/VIA MONTE SNI]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated April 23, 2009, recommending approval of an agreement with Siegel & Strain Architects.

Action: The agreement with Siegel & Strain Architects was approved. (9-0-2)  
Absent: Kalra, Chirco.

### **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 Owner Participation Agreement for the bowling alley located at 1441 North 4<sup>th</sup> Street.

#### Recommendations:

- (a) Approval of the second amendment to an Owner Participation Agreement with North 4<sup>th</sup> Street, LLC, increasing the grant amount by \$173,250, for a total amount not to exceed \$423,250, for parking lot improvements for a bowling alley located at 1441 N. 4<sup>th</sup> Street.
- (b) Adoption of a resolution approving an adjustment to the FY 2008-09 Adopted Capital Budget by adding \$173,250 to the Rincon-Facade Improvement project line in the Rincon de los Esteros Redevelopment Area, and amending the FY 2008-2009 Agency appropriations resolution. CEQA: Exempt. File No. PP07-128. **[RINCON DE LOS ESTEROS]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated April 23, 2009, recommending; a) approval of the second amendment to an Owner Participation Agreement with North 4<sup>th</sup> Street, LLC, for parking lot improvements for a bowling alley at 1441 N. 4<sup>th</sup> Street; and b) adoption of a resolution approving an adjustment to the FY 2008-09 Adopted Capital Budget by adding \$173,250 to the Rincon-Facade Improvement project line in the Rincon de los Esteros Redevelopment Area, and amending the FY 2008-2009 Agency appropriations resolution.

Action: The second amendment to the Owner Participation Agreement with North 4<sup>th</sup> Street, LLC was approved. Agency Resolution No. 5905 adopted. (9-0-2)  
Absent: Kalra, Chirco.

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

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The City Council convened at 7:27 p.m. to consider Items 8.1 – 8.2 in a Joint Session.

### **8.1 Approval of an Owner Participation Agreement with Yu Ai Kai Japanese American Community Senior Service.**

#### **Recommendations:**

- (a) Redevelopment Agency Board approval of an Owner Participation Agreement, in the amount of \$105,250, with Yu Ai Kai Japanese American Community Senior Service for improvements to the City-owned building located at 110 East Jackson Street in the Japantown Redevelopment Project Area.
- (b) Adoption of a resolution by the City Council making certain determinations required by law for Redevelopment Agency funding of a public project.  
CEQA: Exempt, File No. PP09-093 [JAPANTOWN]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated April 23, 2009, recommending; a) approval of an Owner Participation Agreement with Yu Ai Kai Japanese American Community Senior Service for improvements to the City-owned building located at 110 East Jackson Street; and b) adoption of a resolution by the City Council making certain determinations required by law for Redevelopment Agency funding of a public project.

Action: The Owner Participation Agreement with Yu Ai Kai Japanese American Community Senior Service was approved. Council Resolution No. 74898 adopted. (9-0-2) Absent: Kalra, Chirco.

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

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### **8.2 Authorization for the collection of tax increment from the Diridon Area of the SNI Project Area.**

**Recommendations:** Public Hearing concerning a proposed Plan Amendment to authorize the collection of tax increment from the "Diridon Area" of the Strong Neighborhoods Initiative (SNI) Project Area, followed by Redevelopment Agency Board and City Council consideration and actions:

- (a) Adoption of resolutions by the Redevelopment Agency Board and City Council approving the Report to Council on the proposed Amendment to the SNI Project Area to authorize the collection of tax increment from the Diridon Area, a portion of the SNI Project Area generally bounded by Santa Clara Street on the north, the UP railroad on the west, San Carlos Street on the south, and the Guadalupe River/Los Gatos Creek and Highway 87 on the east.
- (b) Approval of an ordinance by the City Council adopting the proposed Amendment to the SNI Redevelopment Plan to authorize the collection of tax increment from the Diridon Area and making certain findings.

CEQA: CEQA determination, File No. PP08-289, adopted by the Director of Planning, Building, and Code Enforcement, dated February 4, 2009. **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated April 22, 2009, recommending; a) adoption of resolutions by the Redevelopment Agency Board and City Council approving the Report to Council on the proposed Amendment to the SNI Project Area to authorize the collection of tax increment from the Diridon Area; and b) approval of an ordinance by the City Council adopting the proposed Amendment to the SNI Redevelopment Plan to authorize the collection of tax increment from the Diridon Area and making certain findings. Supplemental memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated April 30, 2009, outlining certain findings and determinations in connection with the proposed amendment.

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

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- 8.2 Action: Agency Resolution No. 5906 adopted. Council Resolution No. 74899 adopted. Ordinance No. 28540 approved for publication. (10-0-1) Absent: Chirco.

**The City Council portion of the meeting adjourned at 7:29 p.m.**

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

**ATTEST:**

  

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**HARRY S. MAVROGENES, SECRETARY**