



REDEVELOPMENT AGENCY BOARD

MINUTES

FEBRUARY 23, 2010

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

9:30 a.m. - Closed Session, Council Chambers Conference Room W133

Absent: None

2:41 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.

1 CEREMONIAL ITEMS

None

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

Items 9.1, "Convention Center Expansion and Renovation," 9.2 "4th Street Garage Debt Service," 9.3 "Economic Development Incentives," and the Joint Financing Authority item "Supplemental Education Revenue Augmentation Fund" on the City Council's Agenda were heard and action taken during the Council meeting that began at 1:30 p.m. today.

The City Council, Joint Financing Authority and Redevelopment Agency Board convened at 2:41 p.m. to consider Item 8.1 in a Joint Session.

8.1 Approval of the Agency's FY 2009-10 Revised Capital and Operating Budgets and the FY 2010-2015 CIP and related actions.

Recommendations:

- (a) Adoption of resolutions by the Redevelopment Agency Board approving the revised FY 2009-10 Capital and Operating Budgets and amendments to the corresponding FY 2009-10 Revenue and Appropriations Resolutions.
- (b) Adoption of a resolution by the Redevelopment Agency Board approving the FY 2010-15 Capital Improvement Program (CIP).

(Item continued on the next page)

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

(Cont'd)

- 8.1 (c) Adoption of resolutions by the Redevelopment Agency Board and City Council authorizing the Executive Director and City Manager to negotiate and execute an amendment to the FY 2009-10 Cooperation Agreement for the Merged Redevelopment Project Area to reflect the revised Agency's FY 2009-10 Capital and Operating Budgets.
- (d) Adoption of resolutions by the Redevelopment Agency Board and City Council authorizing the Executive Director and City Manager to negotiate and execute an amendment to the FY 2009-10 Cooperation Agreement for Operating Expenses to decrease the rental payment from the Agency to the City for office space at City Hall.
- (Deferred 12/8/09 and 12/15/09, Item 8.5) **[MERGED]**

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated February 12, 2010, recommending a) adoption of resolutions by the Redevelopment Agency Board approving the revised FY 2009-10 Capital and Operating Budgets and amendments to the corresponding FY 2009-10 Revenue and Appropriations Resolutions, b) adoption of a resolution by the Redevelopment Agency Board approving the FY 2010-15 Capital Improvement Program (CIP), and c) adoption of resolutions by the Redevelopment Agency Board and City Council authorizing the Executive Director and City Manager to negotiate and execute an amendment to the FY 2009-10 Cooperation Agreement for the Merged Redevelopment Project Area to make payments to the City for March through June 2010 Redevelopment Services and project expenses.

Memorandum from Mayor Reed, dated February 19, 2010, recommending that the Redevelopment Agency Board and City Council approve and adopt the FY 2009-10 Capital and Operating Budgets and 2010-15 CIP with the direction that until funds to make payments to the State are secured and until further direction from the Agency Board is provided, the Executive Director is directed to not spend any unrestricted funds unless contractually obligated or for budgeted operating expenses.

(Item continued on the next page)

8 JOINT REDEVELOPMENT AGENCY/COUNCIL

(Cont'd)

- 8.1** Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes and City Manager Debra Figone, dated February 22, 2010, recommending adoption of resolutions by the Redevelopment Agency Board and City Council authorizing the Executive Director and City Manager to negotiate and execute an amendment to the FY 2009-10 Cooperation Agreement for the Merged Redevelopment Project Area and an amendment to the FY 2009-10 Cooperation Agreement for Operating Expenses to reflect modifications to the Agency's revised FY 2009-10 Operating and Capital budget.

Public Comments: Gary Graves and Lizanne Reynolds of the County of Santa Clara, lodged objections to item 8.1. Dan Fenton spoke in support of item 8.1.

Action: The Executive Director made a clarification to the recommendation to permit the Agency to expend unrestricted funds on: 1) Services related to ongoing discussions with the County, 2) Services related to financing, 3) Services related to real estate negotiations and 4) Services related to Environmental studies in a total aggregate amount not to exceed \$300,000. Agency Resolution No. 5945, 5946, 5947, 5948, 5949 and 5950 adopted. Council Resolution No. 75286 and No. 75287 adopted. (8-2-1) NOES: Campos, Oliverio. Absent: Constant. (Excused)

The City Council and Financing Authority portion of the meeting adjourned at 5:31 p.m.

2 CONSENT CALENDAR

2.1 Approval of Minutes.

- (a) Approval of Redevelopment Agency Minutes for the Regular meeting of December 15, 2009.
- (b) Approval of Redevelopment Agency Minutes for the Regular meeting of January 26, 2010.

Documents Filed: Regular minutes of December 15, 2009, and January 26, 2010.

Action: The Redevelopment Agency minutes of December 15, 2009, and January 26, 2010, were approved. (10-0-1) Absent: Constant. (Excused)

2 CONSENT CALENDAR

2.2 Approval of Council/Board Committee Reports.

Recommendations:

- (a) Report of the Rules and Open Government Committee – January 13, 2010.
(Mayor)
- (b) Report of the Rules and Open Government Committee – January 20, 2010.
(Mayor)
- (c) Report of the Rules and Open Government Committee – January 27, 2010.
(Mayor)
- (d) Report of the Public Safety, Finance and Strategic Support Committee –
January 21, 2010. (Nguyen)

Documents Filed: Reports of the Rules and Open Government Committee meetings of January 13, 20, and 27, 2010 and the Public Safety, Finance and Strategic Support Committee of January 21, 2010.

Action: The reports of the Rules and Open Government Committee and the Public Safety, Finance and Strategic Support Committee were approved. (10-0-1)

Absent: Constant. (Excused)

3 GENERAL

None

4 NEIGHBORHOOD IMPROVEMENT STRATEGIES

4.1 Acceptance of the Winchester Enhancement Strategy Report.

Recommendation: Acceptance of the Winchester Enhancement Strategy Report pertaining to future development and improvements for Winchester Boulevard. CEQA: Not a project. [SNI: WINCHESTER]

Documents Filed: Winchester Enhancement Strategy Report dated February 2010.

Action: Deferred to 3/23/10

5 HOUSING

None

6 PUBLIC FACILITIES AND SPACES

6.1 Approval of a contract with David J. Powers & Associates, Inc. for preparation of an FHWA/CalTrans NEPA Environmental Assessment.

Recommendation: Approval of a contract with David J. Powers & Associates, Inc., in the amount of \$342,143, for the preparation of an FHWA/CalTrans NEPA Environmental Assessment for the Autumn Street Extension Project. CEQA: Resolution No. 08-010 Coleman Avenue/Autumn Street Improvement Project, File No. PP06-166. [MERGED]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated February 11, 2010, recommending approval of a contract with David J. Powers & Associates, Inc., for the preparation of an FHWA/CalTrans NEPA Environmental Assessment for the Autumn Street Extension Project.

Action: The contract with contract with David J. Powers & Associates, Inc. was approved. (10-0-1) Absent: Constant. (Excused)

6.2 Award of a construction contract to Garden City Construction for the Civic Auditorium Phase 2 Project.

Recommendation: Adoption of a resolution approving the award of a construction contract to Garden City Construction, in the amount of \$3,162,868 for the Civic Auditorium Phase 2 Project; and authorizing a project contingency in the amount of \$474,430 for a total contract funding authorization of \$3,637,298. CEQA: Exempt, File No. PP09-122. [PARK CENTER PLAZA]

Documents Filed: Memorandum from Executive Director of Redevelopment Agency Harry S. Mavrogenes, dated February 9, 2010, recommending adoption of a resolution approving the award of a construction contract to Garden City Construction for the Civic Auditorium Phase 2 Project and authorizing a project contingency in the amount of \$474,430 for a total contract funding authorization of \$3,637,298.

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6 PUBLIC FACILITIES AND SPACES

(Cont'd)

6.2 Public Comments: Richard Martin, Garden City Construction, spoke in support of item 6.2.

Action: Agency Resolution No. 5951 adopted. (9-1-1) NOES: Campos. Absent: Constant. (Excused)

7 PRIVATE DEVELOPMENT

None

- **Adjournment**
The Redevelopment Agency Board adjourned at 5:42 p.m.

ATTEST:

HARRY S. MAVROGENES, SECRETARY