

**MINUTES OF THE CITY OF SAN JOSÉ  
JOINT CITY COUNCIL/ FINANCING AUTHORITY**

**SAN JOSE, CALIFORNIA**

**TUESDAY, MAY 25, 2004**

The Council of the City of San José convened in Joint Session with the Redevelopment Agency Board and the San José Financing Authority at 2:17 p.m. in City Council Chambers at City Hall.

Present: Council Members: Campos, Chavez, Chirco, Cortese, Dando, LeZotte, Reed, Williams, Yeager.

Absent: Council Members: Gregory; Gonzales (excused).

- 2**
- (a) Conduct a Public Hearing of the City Council concerning the approval of the lease financing by the City and the City of San José Financing Authority for certain public capital improvements of the City, consisting of the expansion of the San José Ice Centre, and make finding of significant public benefit of such financing by the Authority in accordance with the criteria specified in Section 6586 of the Government Code of the State of California.**
  - (b) Adoption of a resolution of the City Council:**
    - (1) Approving in substantially final form, and authorizing the execution of the Project Lease, Site and Facility Lease, Official Statement, Bond Purchase Agreement, Continuing Disclosure Certificate, Reimbursement Agreement and authorizing the City Manager or his designee to execute and, as appropriate, to negotiate, and deliver these documents and other related financing documents and to take other actions as necessary in connection with the issuance of the Bonds; and**
    - (2) Establishing Fund 432 as the Ice Centre Revenue Fund, pursuant to the Amended and Restated Lease and Management Agreement with San José Arena Management.**
  - (c) Adoption of a resolution of the City of San José Financing Authority:**
    - (1) Authorizing the issuance of City of San José Financing Authority Taxable Lease Revenue Bonds, Series 2004A (Ice Centre of San José Expansion Project) (Auction Rate Securities) (the “Bonds”) in the not-to-exceed principal amount of \$10,000,000 to be sold through negotiated sale subject to certain limitations.**
    - (b) (2) Approving, in substantially final form, the Bonds, Indenture of Trust, Site and Facility Lease, Project Lease, Official Statement, Continuing Disclosure Certificate, Purchase Contract, Auction Agency Agreement, Broker-Dealer Agreement and First Amendment to Project Lease, authorizing the Executive Director or his designee to execute and, as appropriate, to negotiate, and deliver these documents and other related financing documents and to take other actions as necessary in connection with the issuance of the Bonds.**

**CEQA: Negative Declaration, H-93-06-038 and add addenda thereto, File No. H03-035. (Economic Development)**

**2 (Cont'd.)**

Documents Filed: (1) Memorandum from Director of Economic Development, Paul Krutko, dated May 14, 2004, recommending said staff recommendation. (2) Supplemental memorandum from Director of Economic Development, Paul Krutko, dated May 20, 2004, transmitting the Official Statement and it's Appendix A.

Public Comments: William Garbett spoke in opposition to the recommendations.

Action: Upon motion by Council Member Chavez, seconded by Council Member Reed, and unanimously carried, the Public Hearing was held and Resolution No. 72119, entitled: "A Resolution of the City of San José Approving, Authorizing and Directing the Execution of Certain Financing Documents and Directing Certain Related Actions in Connection with Financing for Certain Public Capital Improvements Relating to the Ice Centre of San José", and Resolution No. SJFA-64, entitled: "A Resolution of the City of San José Financing Authority Authorizing the Issuance of Lease Revenue Bonds in the Initial Aggregate Principal Amount of Not to Exceed \$10,000,000 in Connection with Financing Certain Public Capital Improvements Related to the Ice Centre of San José, Authorizing and Directing Execution of an Indenture of Trust and Certain Financing Documents, Authorizing the Negotiation the Sale of Bonds, Approving an Official Statement, and Authorizing Other Related Actions", were adopted. (9-0-2). Absent: Gregory; Gonzales.

**ADJOURNMENT**

The San José Financing Authority adjourned at 2:20 P.M.

**RON GONZALES, MAYOR**

**ATTEST:**

**LEE PRICE, C.M.C, CITY CLERK**

EW/5-25-04