

RESOLUTION NO. 75243

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE 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 JANUARY AND FEBRUARY 2010 CITY SERVICES AND PROJECT EXPENSES

WHEREAS, on June 23, 2009, the Board of Directors of the Redevelopment Agency of the City of San Jose ("Agency") adopted its FY 2009-10 Appropriations Resolution to implement the second year of the Adopted Two Year Spending Plan, with direction to bring back a balancing plan in September 2009 for Board approval that would include the remaining \$8.4 million requested for City Improvements and Services; and

WHEREAS, on June 23, 2009, the City Council and the Agency Board approved funding for City Improvements and Services for the First Quarter of FY 2009-10, which was incorporated into the FY 2009-2010 Cooperation Agreement between the City and Agency for the Merged Redevelopment Project Area; and

WHEREAS, on September 15, 2009, the Agency Board revised its budget calendar and approved the First Amendment to the FY 2009-2010 Cooperation Agreement between the City and Agency for the Merged Redevelopment Project Area to provide funding for City Improvements and Services for the Second Quarter of FY 2009-2010; and

WHEREAS, on October 26, 2009, the Agency released its Proposed Revised FY 2009-10 Operating and Capital Budgets and FY 2010-15 Capital Improvement Program, with budget approval scheduled on December 8 and adoption on December 15, 2009; and

WHEREAS, on December 2, 2009, the Rules and Open Government Committee deferred discussion of the budget to December 15, 2009, and in his Revised Budget

Message dated December 11, 2009, the Mayor proposed that adoption of the budget be deferred until February 23, 2010, which proposal was approved by the Agency Board on December 15, 2009; and

WHEREAS, in order to continue funding of City Improvements and Services prior to adoption of the Proposed Revised Budget, staff recommends that the City Manager be authorized to negotiate and execute a Second Amendment to the Cooperation Agreement for the Merged Redevelopment Project Area to fund City Improvements and Services for January and February 2010, in the amount of \$1,869,741.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

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The City Manager is authorized 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 January and February 2010 City Services and project expenses, as more particularly set forth in the joint memorandum from the City Manager and Executive Director dated December 10, 2009.

ADOPTED this 15th day of December, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:



LEE PRICE, MMC
City Clerk