



MODESTO REDEVELOPMENT AGENCY

MINUTES

City of Modesto
Special Redevelopment Agency Meeting

Tenth Street Place
Chambers, Basement Level
1010 Tenth Street
Modesto, California

Tuesday April 28, 2009 at 5:30 p.m.

Roll Call – Present: Agency Members Hawn, Keating, Lopez, Marsh, O’Bryant, Olsen,
Chairperson Ridenour

Absent: None

CONSENT ITEMS – ROLL CALL VOTE REQUIRED: Item A

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Agency Member.

Consent

- A. Consider approving the minutes of the special Redevelopment Agency meeting of April 7, 2009. (Funding Source: Not Applicable)
- Motion approving recommended.
City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: **Motion (Hawn/Marsh;unan)** approving the minutes of the special Redevelopment Agency meeting of April 7, 2009

UNFINISHED BUSINESS

B. Consider authorizing and directing the Executive Director of the Redevelopment Agency, or his designee, to: (i) deobligate funds totaling \$299,145 from the Agency's 80% Non-Housing fund accounts 9050 and 9080 (see "Exhibit A".) to satisfy the excess surplus penalty amount of \$299,145; (ii) create a new Capital Improvement Project account 9060-140-1491-K""-6030 designated for land acquisition for the proposed development of "Archway Commons" and appropriate and transfer the excess surplus penalty amount of \$299,145 payable from the Agency's 80% Non-Housing fund accounts 9050 and 9080.

- Resolution authorizing and directing the Executive Director of the Redevelopment Agency, or his designee, to de-obligate funds totaling \$299,145 from the Agency's 80% Non-Housing fund accounts 9050 and 9080 (see "Exhibit A".) to satisfy the excess surplus penalty amount of \$299,145 recommended and directing the Executive Director of the Redevelopment Agency, or his designee, to create a new Capital Improvement Project account 9060-140-1491-K""-6030 designated for land acquisition for the proposed development of "Archway Commons" and appropriate and transfer the excess surplus penalty amount of \$299,145 payable from the Agency's 80% Non-Housing fund accounts 9050 and 9080 (see "Exhibit A") recommended

Parks, Recreation & Neighborhoods; Scott Humphries, 571-5506, shumphries@modestogov.com

ACTION: **Resolution No. 08-2009 (Keating/Marsh;unan)** de-obligating funds totaling \$299,145 from the Agency's 80% non-housing fund accounts 9050 and 9080 to satisfy the excess surplus penalty amount of \$299,145.

ACTION: **Resolution No. 09-2009 (Keating/Marsh;unan)** creating a new Capital Improvement Project Account 9060-140-K""-6030 designated for land acquisition for the proposed development of "Archway Commons" and appropriate and transfer the excess surplus penalty amount of \$299,145 payable from the Agency's 80% non-housing fund accounts 9050 and 9080.

C. Consider approving a Purchase Agreement and any related documents between the Redevelopment Agency of the City of Modesto (Buyer) and 4701 Stoddard, LLC, a California Limited Liability Company, and Sylvia E. Cox (Sellers) for future development of Archway Commons.

- Resolution authorizing the Executive Director of the Redevelopment Agency, or his designee, to execute a Purchase Agreement and any related documents, between the Redevelopment Agency of the City of Modesto (Buyer) and 4701 Stoddard, LLC, a California Limited Liability Company, and Sylvia E. Cox (Seller) for the property at North 9th and Carver. The Purchase Agreement will authorize a maximum of \$3,500,000.00 plus one half of all closing costs not to exceed \$15,000 to be paid from the Redevelopment Agency Housing Set-Aside funding to finance the acquisition of property located at 1024 North 9th Street (Assessor's Parcel No. 029-009-021), 1108 North 9th Street (Assessor's Parcel No. 029-009-010), and 1136 North 9th Street (Assessor's Parcel No. 029-009-023), to be annexed into the

City of Modesto recommended.
*Parks, Recreation & Neighborhoods; Scott Humphries, 571-5506,
shumphries@modestogov.com*

ACTION: **Resolution No. 10-2009 (Olsen/Marsh;unan)** authorizing the Executive Director of the Redevelopment Agency, or his designee, to execute a Purchase Agreement and any related documents, between the Redevelopment Agency of the City of Modesto (Buyer) and 4701 Stoddard, LLC, a California Limited Liability Company, and Sylvia E. Cox (Seller) for the property at North 9th and Carver.

D. Consider authorizing and directing the Executive Director of the Redevelopment Agency, or his designee, to execute an Agreement to Negotiation Exclusive Appointment (ANE) with EAH, Inc. as the sole developer receiving Agency funding for the proposed affordable housing project located at 1024 North 9th Street, 1108 North 9th Street, and 1136 North 9th Street, also referred to as "Archway Commons" and release \$200,000.00 to EAH, Inc. for pre-development costs associated with land annexation permitted within the ANE.

- Resolution authorizing and directing the Executive Director of the Redevelopment Agency, or his designee, to execute an Agreement to Negotiation Exclusive (ANE) to appoint EAH, Inc. as the sole developer receiving Agency funding for the proposed affordable housing project located at 1024 North 9th Street, 1108 North 9th Street, and 1136 North 9th Street, also referred to as "Archway Commons" and release \$200,000 to EAH, Inc. for pre-development costs associated with land annexation permitted within the ANE recommended.

*Parks, Recreation & Neighborhoods; Scott Humphries, 571-5506,
shumphries@modestogov.com*

ACTION: **Resolution No. 11-2009 (Lopez/Marsh;unan)** authorizing an Agreement to Negotiate Exclusively (ANE) to appoint EAH, Inc. as the sole developer receiving Agency funding.

ACTION: **Resolution No. 12-2009 (Lopez/Marsh;unan)** releasing \$200,000 to EAH, Inc. for pre-development costs associated with land annexation permitted with the ANE.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 9:08 p.m.

CLOSED SESSION

Closed Session Matter Heard Prior to Meeting

CONFERENCE WITH REAL PROPERTY NEGOTIATOR: (Pursuant to Section 54956.8 of the Government Code) Property: Acquisition of real property located at: Central Valley Christian Fellowship 1161 Carver Road Assessor's Parcel No. 029-009-031 Negotiating parties: Julie Hannon, Acting Parks, Recreation & Neighborhoods Director Under negotiation: Permission to enter into negotiations for land acquisition.

ATTEST: _____
Stephanie Lopez, Agency Secretary