

Meeting Date: 3/21/11

AGENDA REPORT

Agenda Item # 2A RDA /



City of Santa Clara, California



Date: March 21, 2011

To: Executive Director for Redevelopment Agency/Stadium Authority Action

From: Administrative Analyst to the City Manager

Subject: Adoption of a Resolution Approving a Predevelopment Funding Agreement between the Redevelopment Agency, Stadium Authority and Forty Niners Stadium, LLC

EXECUTIVE SUMMARY:

The Redevelopment Agency and the Santa Clara Stadium Authority are proposing to enter into a Predevelopment Funding Agreement with Forty Niners Stadium, LLC (Stadco) to provide funding from tax increment revenues for certain costs associated with the Stadium project.

The Governor of California has proposed, as part of a budget package designed to balance the State of California budget, to eliminate redevelopment agencies. As part of that proposed legislation, existing redevelopment agencies could be prohibited from entering into new contracts or agreement or undertaking new projects immediately after the approval of such legislation. The legislation also provides that as of July 1, 2011, all existing agencies would be dissolved, and the local community that formed the agency would be appointed the successor agency to the redevelopment agency and would be charged with winding down the agency. Upon dissolution of the redevelopment agency, the successor agency's activities would be limited to paying the redevelopment agency's debt and performing those contractual obligations that are considered enforceable obligations.

On June 2, 2009, the Council approved a Term Sheet between the City, the Agency and Stadco for the construction and operation of a stadium suitable for NFL football in the Bayshore North Redevelopment Project Area. The Term Sheet proposed the Agency investing an amount not to exceed \$40 million for Stadium construction costs plus an additional amount of \$1.6 million toward development fees related to the Stadium project. A special election was held on June 8, 2010 to allow Santa Clara voters to have the opportunity to decide whether a stadium should be built under the conditions negotiated in the Term Sheet. Chapter 17.20 of the Santa Clara Municipal Code (Measure J), the Stadium ballot measure, passed with 58.2% of the vote.

On February 22, 2011 the Agency and the Stadium Authority approved a cooperation agreement whereby the Agency agreed to provide up to \$40,000,000 (exclusive of debt service and other financing costs) of tax increment revenue to the Stadium Authority for construction costs associated with the Stadium. In addition the Agency agreed to pay to the City on the Stadium Authority's behalf one half of the development fees associated with the Stadium in an amount not to exceed \$1,600,000. The Agency's payment to the Stadium Authority included the payment of Agency cash on hand in the amount of \$4,000,000 and the pledge of additional Agency funds including proceeds of tax allocation bonds. On February 28, 2011, the Stadium Authority and the Agency approved clarifying changes to the Cooperation Agreement.

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The proposed Predevelopment Funding Agreement is between the Agency, the Stadium Authority and Stadco, whereby the Stadium Authority is agreeing to advance to Stadco the available funds in the amount of \$4,000,000 for use for design, engineering and construction costs associated with infrastructure improvements and other work required to be performed on and around the Stadium site prior to construction of the Stadium, referred to here as make-ready work. Under the terms of the Predevelopment Agreement, the funds advanced to Stadco for the make-ready work would be placed in a segregated account and could only be disbursed for costs associated with the make-ready work and for costs incurred by the Stadium Authority for operating expenses and predevelopment costs based on a budget to be approved by the Stadium Authority. If construction of the Stadium is not commenced by December 31, 2015, any funds not spent on the make-ready work or Stadium Authority operating costs would be returned to the Stadium Authority.

The Predevelopment Funding Agreement also provides that certain Stadium predevelopment costs incurred by Stadco are considered an advance to the Stadium Authority. This advance will be repaid by the Stadium Authority from the Net Tax Increment funds provided to the Stadium Authority pursuant to the Cooperation Agreement previously approved by the Agency and the Stadium Authority. Prior to the start of Stadium construction, the Net Tax Increment funds will be deposited into an escrow account. Funds may only be withdrawn from the escrow account (i) for Stadium Authority Operating costs and (ii) upon commencement of Stadium construction, to reimburse Stadco for predevelopment expenses and other Stadium construction expenses. In the event that construction on the Stadium does not commence by December 31, 2015, all amounts in the escrow will be returned to the Stadium Authority.

ADVANTAGES AND DISADVANTAGES OF ISSUE:

The Predevelopment Funding Agreement implements the actions previously taken by the Agency and the Stadium Authority in approving the Cooperation Agreement by providing funding for the Stadium project, and implements these actions in accordance with previously agreed-upon timeframes. The funds being advanced under the Agreement are consistent with the Term Sheet and Measure J. Under the terms of the Agreement, although the Stadium Authority will advance funds to Stadco immediately upon execution of the agreement, the funds will be held in a separate account and may only be used for specific purposes in accordance with a predevelopment budget to be approved by the Stadium Authority. The advanced funds will be used for infrastructure improvements on and around the Stadium site, which is currently owned by the City. The infrastructure improvements will provide upgraded utility service and other infrastructure to the site and are expected to benefit the site regardless of whether the Stadium project moves forward. In the event the Stadium project does not move forward, the funds advanced minus any funds expended for approved costs will be returned to the Stadium Authority. All other funds provided for Stadium construction and predevelopment costs will be placed into escrow and will not be disbursed prior to commencement of Stadium construction, except for those funds required for Stadium Authority operating and predevelopment costs.

A disadvantage of advancing the available Agency funds in the amount of \$4,000,000 is that the Stadium Authority and Stadco are still negotiating the terms and conditions for the construction of the Stadium. Additionally, a financing plan for the construction of the Stadium has not yet been completed and approved by the parties. The construction of the Stadium involves a complex financial package that will involve several different sources of funds. If for any reason the Stadium Authority and Stadco are not able to reach

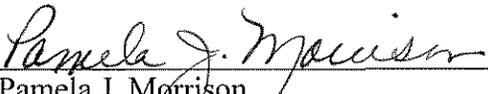
agreement on the terms and conditions for the construction of the Stadium, if a feasible financing plan is not approved or if Stadco elects not to proceed with the Stadium, the advanced funds that are spent for make-ready work will not be recoverable. It is expected that the City, as owner of the Stadium site, will benefit from the work installed on and adjacent to the site; however it is possible that the work may not have value for future development, depending upon the nature of future development on the site.

ECONOMIC/FISCAL IMPACT:

Execution of the Predevelopment Funding Agreement will result in the transfer of \$4,000,000 in Agency funds to Stadco, which will be held in a separate account and used only for costs associated with the make-ready work and for costs incurred by the Stadium Authority for operating expenses and predevelopment costs. Unused funds will be returned to the Stadium Authority if construction on the Stadium Project has not commenced by December 31, 2015. Funds are available in Stadium Authority Account 875-8311-80300-4911.

RECOMMENDATION:

That the Agency/Authority adopt the Resolution approving the Predevelopment Funding Agreement between the Redevelopment Agency, Stadium Authority and Forty Niners Stadium, LLC, providing funding from tax increment revenues for certain costs associated with the Stadium Project.



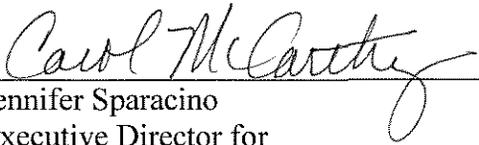
Pamela J. Morrison
Administrative Analyst to the City Manager

Certified as to Availability of Funds:
875-8311-80300-4911 \$ 4,000,000.00



Gary Ameling
Redevelopment Agency/Stadium Authority
Treasurer

APPROVED:



Jennifer Sparacino
Executive Director for
Redevelopment Agency/Stadium Authority

MAJORITY VOTE OF COUNCIL

Documents Related to this Report:

- 1) *Resolution of the Santa Clara Stadium Authority Approving a Predevelopment Funding Agreement Related to the Construction of the Stadium Project and Making Certain Findings Related Thereto*
- 2) *Resolution of the Redevelopment Agency of the City of Santa Clara Approving a Predevelopment Funding Agreement Related to the Construction of the Stadium Project and Making Certain Findings Related Thereto*

RESOLUTION NO. ___ (RA)

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF
THE CITY OF SANTA CLARA APPROVING A
PREDEVELOPMENT FUNDING AGREEMENT RELATED
TO THE CONSTRUCTION OF THE STADIUM PROJECT
AND MAKING CERTAIN FINDINGS RELATED THERETO**

**BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA
CLARA AS FOLLOWS:**

WHEREAS, the Redevelopment Agency of the City of Santa Clara (“Agency”) is engaged in various activities in its efforts to remove the blighting conditions that still remain in the Project Area;

WHEREAS, in keeping with the goals of the Agency to eliminate blight and reduce physical and economic blight in accordance with the Redevelopment Plan and the Agency’s current Implementation Plan (“Implementation Plan”), the Santa Clara Stadium Authority (the “Stadium Authority”) and the Agency have been working cooperatively regarding the development of a stadium suitable for professional football and other large events (the "Stadium Project") in the Project Area;

WHEREAS, due to the complexity of the Stadium Project and the varying funding sources, the Agency and the Stadium Authority entered into that certain Cooperation Agreement to Assist Publicly Owned Stadium (the “Cooperation Agreement”), through which the Agency shall provide funding for, and the Stadium Authority shall construct the Stadium Project to alleviate blighting conditions in the Project Area, and the community, as set forth in the proposed Agreement;

WHEREAS, in implementation of the Agreement, the Agency desires to enter into a Predevelopment Funding Agreement with the Stadium Authority and the Forty Niners Stadium,

LLC ("Predevelopment Agreement"), a copy of which is on file with the Authority Secretary and the Agency Secretary through which the Stadium Authority will provide funding received by the Stadium Authority pursuant to the Cooperation Agreement related to the Stadium project to the Forty Niners Stadium, LLC for costs incurred by Forty Niners Stadium, LLC related to design, engineering and construction costs associated with the Stadium Project; and

WHEREAS, in connection with the approval of the Cooperation Agreement the Agency and the Stadium Authority made the findings required under the California Redevelopment Law (Health and Safety code Section 33100 *et seq.*; the "Law") and hereby reaffirm those findings; and

WHEREAS, as further described in the attached Staff Report, the Stadium Project has previously undergone environmental review pursuant to the California Environmental Quality Act ("CEQA") and was considered as part of the project Environmental Impact Report certified for the proposed 49ers Santa Clara Stadium Project at 4900 Centennial Boulevard (the "Stadium EIR"); and

WHEREAS, the Staff Report, the Redevelopment Plan, the report to City Council accompanying the Redevelopment Plan, the Stadium EIR, and the Implementation Plan provide additional information upon which the findings and actions set forth in this Resolution are based.

NOW, THEREFORE BE IT FURTHER RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY SANTA CLARA AS FOLLOWS:

1. That the Agency hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Agency hereby finds, for the following reasons, and based on the provision of CEQA (with particular reference to 14 California Code of Regulations, Section 15162), that the Stadium EIR has served as the environmental documentation pursuant to CEQA for approval of this Resolution and the Predevelopment Agreement with respect to the Stadium Project

considered in the Stadium EIR. The Agency further specifically finds that there have not been any of the following occurrences since the approval of the Stadium EIR that would require a subsequent or supplemental environmental documents in connection with approval of this Resolution and the Predevelopment Agreement:

A. There have not been substantial changes in the project analyzed in the Stadium EIR which would require major revisions in the Stadium EIR and the Mitigation Monitoring Program;

B. There have not been substantial changes with respect to the circumstances under which the project analyzed in the Stadium EIR will be undertaken which would require major revisions in the Stadium EIR and the Mitigation Monitoring Program; and

C. There has not been the appearance of new information which was not known and could not have been known as of the date of approval of the Stadium EIR and the Mitigation Monitoring Program which is relevant to the approval of the Stadium EIR and the Mitigation Monitoring Program as it relates to the Predevelopment Agreement.

3. That the Agency hereby approves the Predevelopment Agreement and authorizes the Executive Director to enter into and execute the Predevelopment Agreement on behalf of the Authority, substantially in the form on file with the Agency Secretary and the Authority Secretary, with such revisions as are reasonably determined necessary by the Agency signatory, such determination to be conclusively deemed to have been made by the execution of the Agreement by the Agency signatory. The Executive Director is authorized to implement the Predevelopment Agreement and take all further actions and execute all other documents which are necessary or appropriate to carry out the Predevelopment Agreement.

4. That the Executive Director is hereby authorized and directed to file a Notice of Determination with respect to the Predevelopment Agreement in accordance with the applicable provisions of CEQA.

5. That the Executive Director is hereby authorized to take such further actions as may be necessary or appropriate to carry out the Agency's obligations pursuant to this Resolution and the Predevelopment Agreement.

6. That the Agency Secretary shall certify to the adoption of this Resolution.

3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Redevelopment Agency of the City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

4. Effective date. This resolution shall become effective immediately.

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I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 21st DAY OF MARCH, 2011, BY THE FOLLOWING VOTE:

AYES: AGENCY BOARD MEMBERS:

NOES: AGENCY BOARD MEMBERS:

ABSENT: AGENCY BOARD MEMBERS:

ABSTAINED: AGENCY BOARD MEMBERS:

ATTEST:

ROD DIRIDON, JR.
SECRETARY
REDEVELOPMENT AGENCY OF
THE CITY OF SANTA CLARA

Attachments incorporated by reference:
1. Predevelopment Funding Agreement

RESOLUTION NO. ____ (STADIUM AUTHORITY)

A RESOLUTION OF THE SANTA CLARA STADIUM AUTHORITY APPROVING A PREDEVELOPMENT FUNDING AGREEMENT RELATED TO THE CONSTRUCTION OF THE STADIUM PROJECT AND MAKING CERTAIN FINDINGS RELATED THERETO

BE IT RESOLVED BY THE SANTA CLARA STADIUM AUTHORITY AS FOLLOWS:

WHEREAS, the Redevelopment Agency of the City of Santa Clara (“Agency”) is engaged in various activities in its efforts to remove the blighting conditions that still remain in the Project Area;

WHEREAS, in keeping with the goals of the Agency to eliminate blight and reduce physical and economic blight in accordance with the Redevelopment Plan and the Agency’s current Implementation Plan (“Implementation Plan”), the Santa Clara Stadium Authority (the “Stadium Authority”) and the Agency have been working cooperatively regarding the development of a stadium suitable for professional football and other large events (the "Stadium Project") in the Project Area;

WHEREAS, due to the complexity of the Stadium Project and the varying funding sources, the Agency and the Stadium Authority entered into that certain Cooperation Agreement to Assist Publicly Owned Stadium (the “Cooperation Agreement”), through which the Agency shall provide funding for, and the Stadium Authority shall construct the Stadium Project to alleviate blighting conditions in the Project Area, and the community, as set forth in the proposed Agreement;

WHEREAS, in implementation of the Agreement, the Stadium Authority desires to enter into a Predevelopment Funding Agreement with the Agency and the Forty Niners Stadium, LLC ("Predevelopment Agreement"), a copy of which is on file with the Authority Secretary and the

Agency Secretary through which the Stadium Authority will provide funding related to the Stadium project to the Forty Niners Stadium, LLC for costs incurred by Forty Niners Stadium, LLC related to design, engineering and construction costs associated with the Stadium Project;

WHEREAS, in connection with the approval of the Cooperation Agreement the Agency and the Stadium Authority made the findings required under the California Redevelopment Law (Health and Safety code Section 33100 et seq.; the "Law") and hereby reaffirm those findings;

WHEREAS, as further described in the attached Staff Report, the Stadium Project has previously undergone environmental review pursuant to the California Environmental Quality Act ("CEQA") and was considered as part of the project Environmental Impact Report certified for the proposed 49ers Santa Clara Stadium Project at 4900 Centennial Boulevard (the "Stadium EIR"); and

WHEREAS, the Staff Report, the Redevelopment Plan, the report to City Council accompanying the Redevelopment Plan, the Stadium EIR, and the Implementation Plan provide additional information upon which the findings and actions set forth in this Resolution are based.

NOW, THEREFORE BE IT FURTHER RESOLVED BY THE SANTA CLARA STADIUM AUTHORITY AS FOLLOWS:

1. That the Board of the Stadium Authority hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.
2. That the Stadium Authority hereby finds, for the following reasons, and based on the provision of CEQA (with particular reference to 14 California Code of Regulations, Section 15162), that the Stadium EIR has served as the environmental documentation pursuant to CEQA for approval of this Resolution and the Predevelopment Agreement with respect to the Stadium Project considered in the Stadium EIR. The Stadium Authority further specifically finds that there have not been any of the following occurrences since the approval of the

Stadium EIR that would require a subsequent or supplemental environmental documents in connection with approval of this Resolution and the Predevelopment Agreement:

- A. There have not been substantial changes in the project analyzed in the Stadium EIR which would require major revisions in the Stadium EIR and the Mitigation Monitoring Program;
 - B. There have not been substantial changes with respect to the circumstances under which the project analyzed in the Stadium EIR will be undertaken which would require major revisions in the Stadium EIR and the Mitigation Monitoring Program; and
 - C. There has not been the appearance of new information which was not known and could not have been known as of the date of approval of the Stadium EIR and the Mitigation Monitoring Program which is relevant to the approval of the Stadium EIR and the Mitigation Monitoring Program as it relates to the Predevelopment Agreement.
3. That the Stadium Authority hereby approves the Predevelopment Agreement and authorizes the Executive Director to enter into and execute the Predevelopment Agreement on behalf of the Authority, substantially in the form on file with the Agency Secretary and the Authority Secretary, with such revisions as are reasonably determined necessary by the Authority signatory, such determination to be conclusively deemed to have been made by the execution of the Agreement by the Authority signatory. The Executive Director is authorized to implement the Predevelopment Agreement and take all further actions and execute all other documents which are necessary or appropriate to carry out the Predevelopment Agreement.
4. That the Executive Director is hereby authorized and directed to file a Notice of Determination with respect to the Predevelopment Agreement in accordance with the applicable provisions of CEQA.

5. That the Executive Director is hereby authorized to take such further actions as may be necessary or appropriate to carry out the Authority's obligations pursuant to this Resolution and the Predevelopment Agreement.
6. That the Authority Secretary shall certify to the adoption of this Resolution.
7. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.
8. Effective date. This Resolution shall become effective immediately

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 21st DAY OF MARCH, 2011 BY THE FOLLOWING VOTE:

AYES:	BOARD MEMBERS:
NOES:	BOARD MEMBERS:
ABSENT:	BOARD MEMBERS:
ABSTAINED:	BOARD MEMBERS:

ATTEST

 ROD DIRIDON, JR.
 SECRETARY OF THE STADIUM AUTHORITY
 SANTA CLARA STADIUM AUTHORITY

PREDEVELOPMENT FUNDING AGREEMENT

THIS PREDEVELOPMENT FUNDING AGREEMENT (this "Agreement") is made as of March 21, 2011, by and among the Santa Clara Stadium Authority, a California joint powers authority (the "Stadium Authority"), the Redevelopment Agency of the City of Santa Clara, a public body corporate and politic (the "Agency"), and Forty Niners Stadium, LLC, a Delaware limited liability company ("Stadco"), with reference to the following facts, purposes, and understandings.

RECITALS

A. On June 8, 2010, the voters of the City of Santa Clara approved Measure J, which endorses the construction, operation and maintenance of a stadium in the City suitable for NFL games (the "Stadium"), and requires that contributions to the costs thereof by the Agency shall not exceed Forty Million Dollars (\$40,000,000), exclusive of debt service and other financing costs and payments to the City for development fees.

B. The Stadium Authority is a joint powers authority formed by, and comprised of, the City and the Agency pursuant to the Joint Powers Agreement for the purpose of acquiring, financing, constructing, owning, managing, operating and maintaining the Stadium and related facilities.

C. The Stadium Authority intends to lease from the City approximately twenty-two (22) acres of real property located in the City within the Project Area (the "Stadium Site").

D. Pursuant to authority granted under California law, the Agency is charged with administration and enforcement of the Redevelopment Plan. The Redevelopment Plan controls the development and use of all real property located within the Bayshore North Redevelopment Project Area as more particularly described in the Redevelopment Plan.

E. To assist in implementing the Redevelopment Plan, the Agency has adopted a five (5)-year implementation plan (the "Implementation Plan") pursuant to Section 33490 of the Redevelopment Law.

F. The construction of the Stadium will further the Agency's and City's goals of creating an entertainment destination in the Project Area, and will provide significant economic benefits to the City and its residents and businesses.

G. Assistance to the Stadium is consistent with the Implementation Plan. The development of the Stadium will benefit the Project Area and will assist in the elimination of blight in the Project Area. The Agency's use of funds as provided in this Agreement is authorized by the Redevelopment Law, and the Agency, the City and the Stadium Authority have made all findings required under the Redevelopment Law for such use.

H. On February 22, 2011, the Stadium Authority and the Agency entered into a Cooperation Agreement to Assist Publicly Owned Stadium (the "Cooperation Agreement"),

pursuant to which, among other things, the Agency agreed (i) to pay on behalf of the Stadium Authority one-half (½) of the development fees to be paid to the City in connection with the construction of the Stadium, (ii) to pay an amount not to exceed a total of Forty Million Dollars (\$40,000,000) (exclusive of debt service and other financing costs) toward Stadium development costs, and (iii) to pledge Net Tax Increment (as defined therein) in sufficient amounts to meet such obligations. Capitalized terms used, but not defined in Article 1 or elsewhere in this Agreement, shall have the definitions given them in the Cooperation Agreement.

I. To further the goal of the Stadium Authority, the Agency and the City of timely completion of the Stadium Project, Stadco has performed predevelopment work and as a result thereof, incurred predevelopment costs for the benefit of the Stadium Project, and the Parties hereto acknowledge that the Stadium Authority and Stadco will incur further predevelopment costs for the benefit of the Stadium Project prior to the Stadium Authority's receipt of sufficient funds to pay such predevelopment costs.

J. In accordance with the terms of this Agreement, the Parties desire to establish the process for the reimbursement and/or payment from Net Tax Increment by the Stadium Authority and the Agency, as applicable, of the Stadium Authority's Operating Costs and Stadco's Predevelopment Costs.

K. Pursuant to CEQA, the Agency and the Stadium Authority (each in its capacity as "responsible agency") have prepared, reviewed, and certified that certain Final Environmental Impact Report, 49ers Santa Clara Stadium Project for the transactions contemplated by this Agreement, following conduct of a duly noticed public hearing (the "Final Environmental Impact Report"). The Final Environmental Impact Report has served as the environmental documentation for the Stadium Authority's consideration and approval of this Agreement and the transactions contemplated by this Agreement.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Stadium Authority, the Agency and Stadco agree as follows:

ARTICLE 1. DEFINITIONS

Section 1.1 Capitalized words used in this Agreement, and not defined below or elsewhere in this Agreement, shall have the meanings set forth in the Cooperation Agreement. In addition to the terms defined elsewhere in this Agreement and in the Cooperation Agreement, the following capitalized words shall have the following meanings:

- (a) "Agreement" means this Predevelopment Funding Agreement.
- (b) "Budget" is defined in Section 2.3.
- (c) "Cooperation Agreement" is defined in Recital H.

(d) "Initial Make-Ready Work Funds" means the funds in the amount of Four Million Dollars, as further described in Section 3.1, plus any interest earned thereon.

(e) "Make-Ready Work" means the work required to prepare the site for the construction of the Stadium as generally described in Exhibit A to this Agreement.

(f) "Maximum Principal Amount" means the sum of Forty Million Dollars (\$40,000,000) less the amount of the Initial Make-Ready Work Funds paid to Stadco pursuant to Section 3.1 below.

(g) "Party" means the Stadium Authority, the Agency or Stadco, as applicable.

(h) "Parties" collectively means the Stadium Authority, the Agency and Stadco.

(i) "Redevelopment Law" means the Community Redevelopment Law set forth in the California Health and Safety Code (commencing with Section 33000).

(j) "Stadium Authority Operating Costs" means such out-of-pocket, third-party costs for staff, financial consultants, agents, legal counsel, and other consultants reasonably required to assist the Stadium Authority in predevelopment matters and ongoing operations of the Stadium, solely to the extent such consultants provide services directly related to the development and operation of the Stadium, as such costs are set forth in the approved Budget.

(k) "Stadium Project" means the development of the Stadium and all related physical construction on and off the Stadium Site.

ARTICLE 2. PREDEVELOPMENT COSTS INCURRED BY STADCO

Section 2.1 Predevelopment Costs. Stadco has incurred various predevelopment costs for the benefit of the Stadium Project prior to the date of this Agreement ("Previously Incurred Predevelopment Costs"). Stadco intends to transfer, assign or otherwise convey to the Stadium Authority its assignable, non-privileged interest in the work product resulting from the Previously Incurred Predevelopment Costs and requests reimbursement for certain of those costs from the Stadium Authority in accordance with the terms of this Agreement. Stadco expects to supervise and/or produce or cause to be produced additional predevelopment work product for the benefit of the Stadium Authority subsequent to the execution of this Agreement and to incur additional predevelopment costs as a result of such activity for which Stadco requests reimbursement in accordance with this Agreement. Without limiting the generality of the foregoing, with respect to the Make-Ready Work in particular, Stadco will retain consultants and contractors to design and construct the Make-Ready Work for the benefit of Stadium Authority; provided, however, that it is acknowledged that construction of the Make-Ready Work is subject to the further approvals by the Stadium Authority, issuance of permits and the requirement to obtain licenses to enter property from the appropriate City agencies and others. Pursuant to this Agreement the Stadium Authority will reimburse Stadco for certain of those costs, including,

without limitation, costs related to the design and engineering of the Stadium, and design engineering and construction of the Make-Ready Work (collectively, "Continuing Predevelopment Costs"). Previously Incurred Predevelopment Costs and Continuing Predevelopment Costs shall hereafter be referred to as "Predevelopment Costs". Predevelopment Costs shall also include, without limitation, Stadium Authority Operating Costs. Only Predevelopment Costs related to the Make-Ready Work and Stadium Authority Operating Costs may be paid with the Initial Make-Ready Work Funds.

Section 2.2 Stadium Operating Cost Budget. Prior to the submittal to the Stadium Authority of the proposed Budget pursuant to Section 2.3 below, the Stadium Authority and Stadco shall negotiate in good faith a Stadium Authority budget to pay Stadium Authority Operating Costs to be incurred by the Stadium Authority for the time period until the commencement of construction for the Stadium.

Section 2.3 Budget. Stadco shall submit to the Stadium Authority as promptly as possible following the date of this Agreement, an estimated budget of costs related to the Make-Ready Work and for Stadium Authority Operating Costs, and which shall also include an estimated schedule for the Make-Ready Work expenditures through December 31, 2011. By November 30, 2011, Stadco shall submit an estimated budget of costs related to the Make-Ready Work and Stadium Authority Operating costs from January 1, 2012 to commencement of construction of the Stadium. Stadco shall submit to the Stadium Authority updates of such Budgets from time to time as necessary. Such budgets, and any updates thereto, shall be subject to the approval of the Stadium Authority Executive Director, which approval shall not be unreasonably withheld or delayed, and are referred to herein collectively as the "Budget".

Section 2.4 Books and Records. Stadco shall keep and maintain in accordance with generally accepted accounting principles full, complete and appropriate books, records and accounts of the Predevelopment Costs for which Stadco requests reimbursement, including the disbursements made from the Initial Make-Ready Work Funds. Stadco shall submit monthly reports to the Stadium Authority setting forth any disbursements from the Initial Make-Ready Funds and the balance remaining. All Predevelopment Costs shall be subject to the review by the Executive Director of the Stadium Authority of reasonably satisfactory evidence of Stadco's actual incurrence of the Predevelopment Costs. Such evidence may be in the form of invoices, cancelled checks, wire confirmations or similar types of proof of incurrence and/or payment. Disbursement of funds to pay Predevelopment Costs, other than the Initial Make-Ready Work Funds, shall be in accordance with Section 4.3 below.

ARTICLE 3.

PAYMENT OF INITIAL MAKE-READY FUNDS AND DEVELOPMENT FEES

Section 3.1 Payment for Make-Ready Work. The Stadium Authority hereby agrees to advance to Stadco in lawful money of the United States, immediately upon execution of this Agreement, funds previously transferred by the Agency to the Stadium Authority pursuant to the Cooperation Agreement in the amount of Four Million Dollars (\$4,000,000) (the "Initial Make-Ready Work Funds"). Stadco shall maintain the Initial Make-Ready Work Funds, including any

interest earned thereon, in an account, separate from any other account, at a financial institution reasonably approved by the Stadium Authority. The Initial Make-Ready Work Funds shall only be used to pay invoices related to the design and construction of the Make-Ready Work and Stadium Authority Operating Costs consistent with the Budget approved pursuant to Section 2.3. If construction on the Stadium Project has not commenced by December 31, 2015, as such date may be extended by the Stadium Authority, or if funds are released from Escrow pursuant to Section 4.3(c) below, then Stadco shall repay the Stadium Authority, promptly upon demand, any Initial Make-Ready Work Funds that have not been expended in accordance with this Agreement prior to such date. In addition, Stadco shall deliver to the Stadium Authority all its assignable, non-privileged interest in any work product relating to the Make-Ready Work for which Stadco received reimbursement.

Section 3.2 Payment of Development Fees. The Stadium Authority confirms receipt of \$1,600,000.00 from the Agency, which the Parties agree satisfies the Agency's obligation under the Cooperation Agreement to pay its share of development fees to the City for the development of the Stadium ("Agency's Share of Development Fees"). The Stadium Authority agrees to maintain the Agency's Share of Development Fees in an account with the Stadium Authority Treasurer, separate from all other accounts, and shall pay all such funds to the City at the time payment of such development fees are required for the development of the Stadium Project. If construction on the Stadium Project has not commenced by December 31, 2015, as such date may be extended by the Stadium Authority, the Stadium Authority may retain the Agency's Share of Development Fees for reimbursement of Stadium Authority Operating Costs.

Section 3.3 Waiver of Conditions. Pursuant to the terms of the Cooperation Agreement, the Agency hereby waives the conditions to disbursement of Net Tax Increment set forth in Article 2 thereof, and disbursement of Net Tax Increment shall occur in accordance with the terms of this Agreement.

ARTICLE 4. ADVANCES OF PRECONSTRUCTION COSTS

Section 4.1 Stadco Advance. Stadco's payment of Predevelopment Costs, up to the Maximum Principal Amount, shall be considered a loan by Stadco to the Stadium Authority (the "Stadco Advance") in accordance with the terms of this Agreement. Stadium Authority is incurring the Stadco Advance in reliance on the Agency's agreement to repay the Stadium Authority Advance pursuant to Section 3.2 of the Cooperation Agreement. With each such payment of Predevelopment Costs, the Stadium Authority, for purposes of the Cooperation Agreement, shall be considered to have made a corresponding Stadium Authority Advance to the Agency. Pursuant to the Cooperation Agreement, the Agency may pay the Stadium Authority Advance with cash on hand, proceeds from Tax Allocation Bonds and from Net Tax Increment. Payment of the Stadium Authority Advance, other than the Initial Make-Ready Work Funds, shall be deposited by the Agency into the escrow account established pursuant to Section 4.3 below.

Section 4.2 Terms of Stadco Advance. The outstanding amount of the Stadco Advance, including compound interest at an annual fixed rate equal to the lower of the rate on 30-year BB-rated corporate bonds or eight and one-half percent (8½%), calculated from the

commencement of construction of the Stadium, will be repayable by the Stadium Authority only from Net tax Increment, whether through payments on the Stadium Authority Advance, from proceeds of Tax Allocation Bonds issued pursuant to the Cooperation Agreement, or otherwise. The Parties anticipate that the Stadium Authority will obtain funds from various sources to assist with the development costs of the Stadium (including, without limitation, the repayment of Predevelopment Costs), and agree that this Agreement solely deals with the Stadium Authority's obligation to pay from Net Tax Increment the portion of Predevelopment Costs equivalent to the Stadco Advance, and that any other Predevelopment Costs not paid from Net Tax Increment may be repaid from sources other than Net Tax Increment, as may be further provided in the Final Financing Plan.

Section 4.3 Escrow of Net Tax Increment. In order to induce Stadco to continue to incur Predevelopment Costs on behalf of the Stadium Project, the Agency and the Stadium Authority agree that the Agency shall deposit all Net Tax Increment, other than the Initial Make-Ready Work Funds, into an escrow account, which shall be established by the Stadium Authority and Stadco with an escrow holder mutually approved by the Stadium Authority and Stadco ("Escrow"); provided, however, that the total Net Tax Increment which the Agency is obligated to deposit into Escrow shall not exceed the Maximum Principal Amount, plus all interest accrued to date on the Stadium Authority Advance. Upon commencement of construction of the Stadium, all funds released from the Escrow shall be deposited into a development fund to reimburse Predevelopment Costs and to pay other Stadium development costs in accordance with the terms of the Final Financing Plan. The establishment and terms of the Escrow shall be subject to irrevocable escrow instructions of the Stadium Authority and Stadco, which shall provide that:

(a) Upon the written direction of Stadco, specified amounts can be released, from time to time, to pay the Stadium Authority's Operating Costs.

(b) Upon commencement of construction of the Stadium, all funds remaining in Escrow will be disbursed in accordance with the written direction of Stadco to the development fund referenced above.

(c) If construction of the Stadium has not commenced by December 31, 2015 as such date may be extended by the Stadium Authority, or if jointly directed prior to that date by Stadco and the Stadium Authority, all amounts remaining in the Escrow will be paid to the Stadium Authority.

To the extent that the aggregate amount of funds from Escrow received by Stadco and the Stadium Authority following the commencement of construction exceeds the Maximum Principal Amount, plus applicable interest accrued on the Stadco Advance, Stadco shall pay any such excess that it received to the Stadium Authority and the Stadium Authority shall pay that amount, together with any such excess that it received from Escrow to the Agency, or its successor.

Section 4.4 Indebtedness of the Agency. The obligation of the Agency to pay the Net Tax Increment into Escrow under this Agreement shall constitute an indebtedness of the Agency incurred in carrying out the Redevelopment Plan and a pledge of tax increment received by the

Agency from the Project Area to repay such indebtedness under the provisions of Article XVI, Section 16 of the Constitution of the State of California, the Redevelopment Law, and the Redevelopment Plan.

ARTICLE 5.
GENERAL PROVISIONS

Section 5.1 Non-Liability of Officials. No member, official, employee, manager or agent of any Party shall be personally liable to any other Party, or any successor in interest, in the event of any default or breach by such Party for any amount which may become due to any other Party or successor or on any obligation under the terms of this Agreement.

Section 5.2 Actions of the Parties. Except as otherwise provided in this Agreement, whenever this Agreement calls for or permits the Stadium Authority's or the Agency's approval, consent, or waiver, the written approval, consent, or waiver of the Agency's Executive Director or the Stadium Authority Executive Director (or their respective designees) shall constitute the approval, consent, or waiver of the Agency or the Stadium Authority, respectively, without further authorization required from the governing board of such Party; provided, however, that the person vested with such authority may seek such further advice or authorization from the applicable governing board as she/he deems it appropriate.

Section 5.3 Nondiscrimination.

(a) In Performance of Agreement. The Stadium Authority and its contractors, subcontractors, agents, and employees shall not, because of the race, color, creed, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, age, or disability of any person, refuse to hire or employ the person, or refuse to select the person for a training program leading to employment, or bar or discharge the person from employment or from a training program leading to employment, or discriminate against the person in compensation or in terms, conditions or privileges of employment with respect to performance of this Agreement.

(b) With Respect to Use of the Stadium. The Stadium Authority covenants by and for itself and its successors and assigns that there shall be no discrimination against or segregation of a person or of a group of persons on account of race, color, creed, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, age, or disability in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Stadium.

Section 5.4 Third Party Beneficiaries. The Agency, the Stadium Authority and Stadco do not intend by any provision of this Agreement to confer any right, remedy or benefit upon any other third party, and no other third party shall be entitled to enforce or otherwise shall acquire any right, remedy or benefit by reason of any provision of this Agreement.

Section 5.5 State Law. This Agreement, and the rights and obligations of the Parties hereto, shall be construed and enforced in accordance with the laws of the State of California.

Section 5.6 Records. The Stadium Authority shall maintain complete and accurate financial accounts, documents and records with respect to the performance of its obligations under this Agreement, and shall make same available to the Agency's authorized agents for copying and auditing upon reasonable prior notice. Such accounts, documents and records shall be retained by the Stadium Authority for the longer of seven (7) years following completion of the Stadium or whatever retention period the Stadium Authority has designated for such documents.

Section 5.7 Inspection of Documents. During the regular office hours and upon reasonable prior notice, the Stadium Authority, the Agency and Stadco, by their duly authorized representatives, shall have the right to inspect and make copies of any books, records or reports of the Stadium Authority and the Agency pertaining to this Agreement. During regular office hours and upon reasonable prior notice, the Stadium Authority and the Agency, by their duly authorized representatives, shall have the right to inspect and make copies of any books, records or reports of Stadco's Predevelopment Costs.

Section 5.8 Additional Acts. The Parties each agree to take such other and additional actions and execute and deliver such other and additional documents as may be reasonably requested by the other Parties for purposes of consummating the transactions contemplated in this Agreement.

Section 5.9 Validity of Agreement. If any provisions of this Agreement, or the application thereof to any person, Party, transaction, or circumstance, is held invalid, the remainder of this Agreement, or the application of such provision to other persons, parties, transactions, or circumstances, shall not be affected thereby. In the event litigation is initiated attacking the validity of this Agreement, each Party shall in good faith defend and seek to uphold the Agreement. In the event the Stadium Authority or the Agency is ordered by a court of law, pursuant to a final nonappealable judgment by such court of law, to return the Initial Make-Ready Work Funds to the City or a successor agency, Stadco, upon request of the Stadium Authority or the Agency, shall immediately pay to the Stadium Authority or the Agency, as directed, any Initial Make-Ready Work Funds that have not been expended in accordance with this Agreement prior to such date.

Section 5.10 Entire Agreement; Modification and Amendment. This Agreement contains all of the agreements and understandings of the Parties pertaining to the subject matter contained herein and supersedes all prior or contemporaneous agreements, representations and understandings of the Parties. This Agreement cannot be amended or modified except by written agreement of the Parties.

Section 5.11 Defaults and Remedies. If any Party breaches any other material provision of this Agreement, any of the other Parties shall first notify the breaching Party in writing of the purported breach or failure, giving the breaching Party thirty (30) days from receipt of such notice to cure or, if cure cannot be accomplished within thirty (30) days, to commence to cure such breach, failure, or act. In the event the breaching Party does not then so cure within such thirty (30) days, or if the breach or failure is of such a nature that it cannot be cured within thirty (30) days, the breaching Party fails to commence to cure within such thirty (30) days and thereafter diligently complete such cure within a reasonable time thereafter but in

no event later than one hundred twenty (120) days, then each non-breaching Party shall be afforded all of its rights at law or in equity, including to prosecute an action for damages or specific performance.

Section 5.12 Binding Upon Successors. This Agreement shall be binding upon and inure to the benefit of the heirs, administrators, executors, successors in interest and assigns of each of the Parties to this Agreement. Any reference in this Agreement to a specifically named Party shall be deemed to apply to any successor, heir, administrator, executor or assign of such Party who has acquired an interest in compliance with the terms of this Agreement, or under law.

Section 5.13 Time of The Essence. Time is of the essence in the performance of all duties and obligations under this Agreement.

Section 5.14 Execution in Counterparts. This Agreement may be executed in any number of counterparts and by different Parties hereto in separate counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

(signatures on following page)

IN WITNESS WHEREOF, this Agreement has been executed as of the date set forth in the opening paragraph of this Agreement.

Approved as to Form

SANTA CLARA STADIUM AUTHORITY

Elizabeth H. Silver
Interim Stadium Authority General Counsel

Jennifer Sparacino
Executive Director

Attest:

Rod Diridon, Jr.
Stadium Authority Secretary

Approved as to Form

**REDEVELOPMENT AGENCY OF THE
CITY OF SANTA CLARA**

Elizabeth H. Silver
Interim Agency General Counsel

Jennifer Sparacino
Executive Director

Attest:

Rod Diridon, Jr.
Agency Secretary

**FORTY NINERS STADIUM, LLC, a
Delaware limited liability company**

By: _____

Name: _____

Title: _____

EXHIBIT A

DESCRIPTION OF MAKE-READY WORK

GENERAL DESCRIPTION OF MAKE-READY WORK

Phase I – Utility Relocation and Ramp Construction at Southwest Corner of Site

- Install fire hydrants for construction period and future use as stadium site hydrants
- Relocate Silicon Valley Power (SVP) high voltage poles along Southerly property line
- Isolate recycled water line at Bridge and cap line for relocation
- Demolition, clearing and grading in Southwest work area
- Construct retaining walls for ramp south of Stadium
- Place partial embankment adjacent to ramp
- Design, testing and regulatory approvals for bridges spanning San Tomas Aquino Creek
- Geotechnical investigation and testing of the stadium site
- Environmental investigation and testing of the stadium site
- Place new utilities in ramp area and Southwest corner of site
- Locate and work around existing north/south fiber optic cable
- Relocate transformer in Centennial Blvd right-of-way to SVP property corner
- Pull SVP conductors and fiber optic cables in previously installed duct banks
- Begin abandonment of SVP ducts that are no longer required
- Construct remaining utilities in Southwest work area
- Design, engineering, surveying, title work, estimating, development fees, inspection, and preconstruction services relating to the above work

Phase II – Access and Utility Installation at East and Southeast Portions of Site

- Install fencing to separate 49ers Training Facility from new access road and parking lot construction
- Clearing and grubbing of new Parking Lot Area and new South Access Roadway
- Install utilities adjacent to South Access Roadway
- Install new temporary sanitary sewer line from 49ers Training Facility to existing sanitary sewer main at Youth Soccer Park
- Construct East-West public utilities corridor on North side of existing 49ers Training Facility property
- Reconnect Youth Soccer Park utility services after utility relocations have been completed
- Construct South Access Road for access to 49ers Training Facility, Northern Receiving Station, reconnect utilities to City water tanks and City emergency generators after utility relocations have been completed
- Reconnect utilities to SVP Northern Receiving Station after utility relocations have been completed
- Switch over SVP electrical service and PG&E gas service to 49ers Training Facility upon completion of new utilities and obtaining of signoffs from SVP and PG&E
- Centennial Blvd. right-of-way clearing and grubbing in preparation for new stadium construction
- Abandonment and removal of replaced and no-longer-needed utilities in Centennial Blvd right-of-way
- Design, engineering, surveying, title work, estimating, development fees, inspection, and preconstruction services relating to the above work

Meeting Date: 3/21/11

Santa Clara



AGENDA REPORT

City of Santa Clara, California

Agenda Item # 2A RDA /
2A SA



Date: March 21, 2011

To: Executive Director for Redevelopment Agency/Stadium Authority for Information

From: Executive Assistant to the City Manager

Subject: Correspondence Received regarding the approval of a Pre-Development Funding Agreement between the Redevelopment Agency, Stadium Authority and 49ers Stadium Company

Attached are emails received from the public to the Chairperson and Agency/Stadium Authority in regards to tonight's consideration of the adoption of respective resolutions approving a Pre-development Funding Agreement between the Redevelopment Agency, Stadium Authority and 49ers Stadium Company.

Handwritten signature of Yvonne Galletta in cursive script.

Yvonne Galletta
Executive Assistant to the City Manager

APPROVED:

Handwritten signature of Jennifer Sparacino in cursive script.

Jennifer Sparacino
Executive Director for
Redevelopment Agency/Stadium Authority

Documents Related to this Report:

- 1) *Printed Emails*

\\AGENDA REPORTS\2011\Correspondence re Stadium-RDA March 21.doc

POST MEETING MATERIAL

Yvonne Galletta

From: Yvonne Galletta on behalf of Kimberly Green

Sent: Monday, March 21, 2011 1:16 PM

To: 'ron'

Subject: RE: Hiding Redevelopment funds / Ashamed to be a Santa Claran

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: ron [mailto:misterz13@aol.com]
Sent: Sunday, March 20, 2011 9:51 PM
To: Kimberly Green
Subject: Hiding Redevelopment funds / Ashamed to be a Santa Claran

Mr. Mayor and Council Members,

I can honestly state that for the first time in over 40+ years as a Resident of Santa Clara that I am embarrassed and ashamed to say where I live.

Your cunning plan to hide redevelopment money by giving it to the 49ers organization is an atrocious plan that can be likened to making a deal with the devil. It is not even clear or guaranteed that the team will make the move. The 4.5 million dollars will be locked up and not useable for years.

By eliminating California's redevelopment agencies, the Governor plans to redeploy the funds to **schools, health programs and other needed services**. Perhaps our Citizens would be better served if your creativity was channeled towards preserving or using these funds in a manner more suited to our immediate needs.

Please think beyond bringing a Stadium to our city. Search your conscience carefully and be sure that your vote is both morally correct and ethically sound.

Sincerely,
Ron Zea
129 Gilbert Ave

3/21/2011

Santa Clara CA

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 1:12 PM
To: 'Don Herbelin'
Subject: RE: meeting Monday evening

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Don Herbelin [mailto:dherbelin@sbcglobal.net]
Sent: Monday, March 21, 2011 1:01 PM
To: Kimberly Green
Subject: meeting Monday evening

Shame,shame, shame. The "conceptual action to protect our funds" is nothing more than a shell game to ultimately deny the needed monies for the Santa Clara School District,its teachers,and other necessary projects.

To be so obsessed with a single minded agenda is hypocritical.

Teaching is the profession that creates all others.

Be true to the swearing-in-oath you took to serve the people of Santa Clara in a fair and responsible way.

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 1:12 PM
To: 'nadajoy gleason'
Subject: RE: redevelopment funds

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: nadajoy gleason [mailto:njjoyful@yahoo.com]
Sent: Monday, March 21, 2011 12:58 PM
To: Kimberly Green
Subject: redevelopment funds

Where is the honesty of this Mayor and City Council???? Hide public money by putting it in the hands of a private business????? Is this the message you want for your own children and the children of Santa Clara????? Is this Bell, California???

Nada Joy Selich Gleason

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 1:13 PM
To: 'Ed Maurer'
Subject: RE: RDA fund diversion

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Ed Maurer [mailto:emaurer@scu.edu]
Sent: Monday, March 21, 2011 11:48 AM
To: Kimberly Green
Subject: RDA fund diversion

Dear Mayor and Council Members,

I am writing because I have grave concerns over the planned diversion of \$4.5 million of City funds to the 49ers to "protect our funds" from the Governor's plans. The Mercury News story tells us what the funds would be used for if the Governor were to dissolve the RDA: "education and health programs." So this appears to be an explicit attempt to take money from education and place it into the coffers of the San Francisco 49ers owners. This is exactly the opposite of what the voters were sold, with the ubiquitous lawn signs declaring the Measure J would support our schools.

One council member characterized tonight's planned re-direction of funds as an attempt to "follow and respect what the voters committed the city to." However, by redirecting education funds to the 49ers the City is doing exactly the opposite of what the voters expressed, which was clearly to support education by any means. My daughter's classroom has swelled in size by 50% this year. Allowing this money to alleviate classroom overcrowding and improve education **MUST** be a higher priority than hiding public funds in a private businessperson's pocket.

Please reconsider your plans, and think of schools first.

Thank you for your consideration.

Ed

Ed Maurer
718 Los Olivos Drive
Santa Clara, CA 95050

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 1:12 PM
To: 'William F. Bailey'
Subject: RE: Request for advance info for Monday evening's Special Meeting, CC/RDA/SCSA (3/21)
Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: William F. Bailey [mailto:williamfbailey@yahoo.com]
Sent: Friday, March 18, 2011 2:05 PM
To: Kimberly Green
Subject: Request for advance info for Monday evening's Special Meeting, CC/RDA/SCSA (3/21)

Greetings to Mayor and City Council,

Santa Clara Plays Fair takes note of the Special Meeting of the City Council, RDA and Stadium Authority, but we would like to request a bit more advance information than was provided on the city's online meetings page and in the notice we received last evening.

Would Council staff kindly copy us on City Council Agenda Reports which will be used or taken up on Monday evening? .PDF or .TXT copies may be sent to me or to info@santaclaraplaysfair.org.

Thank you very much and regards,

William F. "Bill" Bailey
Treasurer, [Santa Clara Plays Fair](#)
1(877)703-4300

Please visit our blogs at:
<http://www.santaclaraplaysfair.blogspot.com/>

<http://stadiumfacts.blogspot.com/>

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Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 1:05 PM
To: 'Penelope Cole'
Subject: RE: Opposition to use of RDA funds for 49'er Stadium development

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Penelope Cole [mailto:pennycole2004@yahoo.com]
Sent: Saturday, March 19, 2011 7:12 PM
To: Kimberly Green
Subject: Fw: Opposition to use of RDA funds for 49'er Stadium development

Resending this since it didn't go through.

--- On **Fri, 3/18/11**, Penelope Cole <pennycole2004@yahoo.com> wrote:

From: Penelope Cole <pennycole2004@yahoo.com>
Subject: Opposition to use of RDA funds for 49'er Stadium development
To: MayorAndCouncil@santaclaraca.gov
Date: Friday, March 18, 2011, 7:46 AM

Dear Mayor and City Council Members,
As a Santa Clara homeowner, tax payer, and parent of a SCUSD student I am vehemently opposed to the use of RDA funds and property taxes to pay for the pre-development costs of the 49'er stadium.

As you know:

****There is not yet a binding contract (DDA) between Santa Clara and the 49ers.**

****The 49ers don't have funding for the stadium yet. That's why they said it is being delayed one year.**

**The NFL has not promised any money for stadiums-that fund was completely depleted.

**The NFL is in a lockout situation and no one knows when the NFL will start making income again, or what will happen to the 2011 season.

**A judge just ruled that the NFL owners can't have the TV contract money they wanted to sustain them during the lockout.

**Measure J did not include asking the voters if they want to pay for the 49ers stadium pre-development costs.

For these reasons, I am opposed to using RDA funding for this purpose. The 49'ers need to commit their monies to the stadium. They are not entitled to a free ride at Santa Clara tax payer expense. We are facing incredible debt and our first obligations are to the education of our children, by retaining our teachers, and continuing other vital city services. Please don't be short sighted in this.

The voters were mislead in the stadium vote with false information. Don't compound this error by committing further money to this until and unless the 49'ers/NFL fully fund the stadium.

Thank you for stopping this now.

Sincerely,
Penelope A. Cole

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 1:04 PM
To: 'Norm Newlon'
Subject: RE: NO REDEVELOPMENT MONEY FOR THE 49ers!

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Norm Newlon [mailto:nnewlon@gmail.com]
Sent: Saturday, March 19, 2011 1:56 PM
To: Kimberly Green
Subject: NO REDEVELOPMENT MONEY FOR THE 49ers!

This is theft! You are corrupt!

The stadium vote never authorized transfer of funds from Santa Clara redevelopment to a private organization such as the 49ers.

Norman Newlon
2367 South Drive
Santa Clara, CA 95051

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 12:01 PM
To: 'Norm Newlon'
Subject: RE: Do NOT give our tax dollars away!

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

**Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771**

From: Norm Newlon [mailto:nnewlon@gmail.com]
Sent: Saturday, March 19, 2011 1:52 PM
To: Kimberly Green
Subject: Do NOT give our tax dollars away!

Our schools need money. Our local services need money.

Why are you even considering giving money from our local redevelopment agency to the 49ers, a private, out of town organization?

THIS IS CORRUPTION, PLAIN AND SIMPLE!

I've lived in Santa Clara for 29 years. **I vote.** Many Santa Clara residents will not tolerate your theft of local tax money.

Norman Newlon
2367 South Drive
Santa Clara, CA 95051

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 12:01 PM
To: 'randy shingai'
Subject: RE: March 21, 2011 Redevelopment Agency Agenda material request.

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: randy shingai [mailto:randyshingai@gmail.com]
Sent: Saturday, March 19, 2011 1:47 PM
To: Kimberly Green
Subject: Re: March 21, 2011 Redevelopment Agency Agenda material request.

Dear Sirs,

I think your agenda filing is in no way, shape or form what was described by many of you in today's San Jose Mercury article:

http://www.mercurynews.com/southbayfootball/ci_17648233

Your action will get challenged in court, because you intentionally misrepresented the resolution in your meeting notice.

If I am to believe the San Jose Mercury, you intend to give away \$4.5 million that you have and another \$40 million that you don't have. is Jamie McLeod the only sensible person among your Council? Ms. McLeod is quoted as saying, "But we still have to make sure we don't overcommit the city financially." This isn't your money. Don't mortgage Santa Clara's future for a bunch of fat-cats.

Realize too that the longer the pro football strike goes on the less favorably team owners will be viewed. Don't assume that the 49ers will have the eternal support of the public, especially when you're forced to cut public safety and the like in the near future.

thanks for listening,

3/21/2011

Randall K. Shingai

On Sat, Mar 19, 2011 at 10:35 AM, randy shingai <randyshingai@gmail.com> wrote:

Dear Mr. Matthews,

"The Redevelopment Agency and the Stadium Authority are considering entering into a funding agreement whereby the Redevelopment Agency will reimburse the 49ers Stadium Company for pre-development costs incurred on behalf of the Stadium Authority. The proposed resolution and agreement will be prepared and available at the meeting."

If I read the above taken from the document that you posted, you will "reimburse" the 49er Stadium Company for pre-development costs incurred. If you are "reimbursing" the 49ers for costs incurred, does that mean that they don't have to give the money back if they don't go ahead with the stadium? If they have to give the money back then reimburse doesn't describe what you're proposing to do. What are you proposing to do?

"Vague or generalized language is not sufficient if it fails to tell the public the essence of a specific and unusual proposal."

Any clarification you can provide would be appreciated.

Thank you,
Randall K. Shingai

On Sat, Mar 19, 2011 at 9:57 AM, Jamie Matthews <jamie.matthews@worldnet.att.net> wrote:

The staff report will be available to the Council and public Monday morning. It should be posted on the City's web site. If you do not see it there in the morning, you may contact the City Managers Office at 615-2210 to obtain a copy or availability status.

Jamie Matthews

On Mar 19, 2011, at 9:49 AM, randy shingai <randyshingai@gmail.com> wrote:

Dear Sirs,

How do I get access to the resolution being considered at the Redevelopment Agency meeting being held on March 21?

This document refers to the document I am interested in:

<http://sireweb.santaclaraca.gov/cache/2/gkace4qf0nkwlw55tbhx1xiz/5616920319>

It is Saturday, March 19, 2011 and it is about 9:50 am.

Thank you,
Randall K. Shingai

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 12:00 PM
To: 'Charles Cramer'
Subject: RE: 49ers

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Charles Cramer [mailto:sepneg@pacbell.net]
Sent: Saturday, March 19, 2011 12:26 PM
To: Kimberly Green
Subject: 49ers

Dear Mayor and City Council,

With our city in financial trouble, with library hours curtailed and layoffs becoming more common, you're going to give the 49ers some of our money?

I've been against this stadium deal from the start. The recent history of stadiums and cities shows that this is a bad deal.

I couldn't believe it when the city was providing free Police escorts to the 49ers. But this is even worse.

Do not give our money to a private business!

I'm glad the Mercury News ran a front page article skewering your idea.

This has got to stop.

Sincerely,

Charles Cramer
Santa Clara CA

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 12:00 PM
To: 'Susan Hinton'
Subject: RE: Schools/children/education versus 49ers' stadium

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Susan Hinton [mailto:suewalt@comcast.net]
Sent: Saturday, March 19, 2011 11:25 AM
To: Kimberly Green
Subject: Schools/children/education versus 49ers' stadium

Dear Mayor Matthews and Council Members,

As a resident of the City of Santa Clara, though I voted against building a stadium for the 49ers in Santa Clara, I accepted the result of the vote and moved on.

However, it's a different story when the city decides to hide Redevelopment money from the State, prematurely handing \$4.5 million, or possibly up to \$40 million, by handing it over to a sports team. In addition to doing our part to help bring down the State's deficit, we should applaud State plans for funding our children's schools during a time when money might otherwise not be forthcoming. As a citizen of both the City and the State, I value our children's futures over that of a sports team.

Should City Council Members vote to move the redevelopment money as proposed in today's, San Jose Mercury News front page article "City may pass cash to team" (which I am assuming corresponds to the agenda item listed on the City's web site, "Adoption of a Resolution Approving a Pre-Development Funding Agreement between the Redevelopment Agency, Stadium Authority and 49ers Stadium Company") I will join every campaign against re-election of Council Members voting for this effort. As both a former parent teacher organization President and as a technically savvy member of the Valley, I am certain I could be effective in on-line and get-out-the-vote campaigning.

Sincerely,
Susan Hinton

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 12:00 PM
To: 'olsenric@sbcglobal.net'
Subject: RE: 49er Money

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: olsenric@sbcglobal.net [mailto:olsenric@sbcglobal.net]
Sent: Saturday, March 19, 2011 11:12 AM
To: Kimberly Green
Subject: 49er Money

The following has sent a message:

Name: Beverly Olsen
Email: olsenric@sbcglobal.net
Comments: Please do not try to give the 4.5 million dollar redevelopment money to that team. It should be used for education and health programs. Our city needs services now, not a stadium way in the future.

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 12:00 PM
To: 'randy shingai'
Subject: RE: March 21, 2011 Redevelopment Agency Agenda material request.

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

***Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771***

From: randy shingai [mailto:randyshingai@gmail.com]
Sent: Saturday, March 19, 2011 10:36 AM
To: Kimberly Green
Subject: Re: March 21, 2011 Redevelopment Agency Agenda material request.

Dear Mr. Matthews,

"The Redevelopment Agency and the Stadium Authority are considering entering into a funding agreement whereby the Redevelopment Agency will reimburse the 49ers Stadium Company for pre-development costs incurred on behalf of the Stadium Authority. The proposed resolution and agreement will be prepared and available at the meeting."

If I read the above taken from the document that you posted, you will "reimburse" the 49er Stadium Company for pre-development costs incurred. If you are "reimbursing" the 49ers for costs incurred, does that mean that they don't have to give the money back if they don't go ahead with the stadium? If they have to give the money back then reimburse doesn't describe what you're proposing to do. What are you proposing to do?

"Vague or generalized language is not sufficient if it fails to tell the public the essence of a specific and unusual proposal."

Any clarification you can provide would be appreciated.

Thank you,
Randall K. Shingai

On Sat, Mar 19, 2011 at 9:57 AM, Jamie Matthews <jamie.matthews@worldnet.att.net>

wrote:

The staff report will be available to the Council and public Monday morning. It should be posted on the City's web site. If you do not see it there in the morning, you may contact the City Managers Office at 615-2210 to obtain a copy or availability status.

Jamie Matthews

On Mar 19, 2011, at 9:49 AM, randy shingai <randyshingai@gmail.com> wrote:

Dear Sirs,

How do I get access to the resolution being considered at the Redevelopment Agency meeting being held on March 21?

This document refers to the document I am interested in:

<http://sireweb.santaclaraca.gov/cache/2/gkace4qf0nkwlw55tbhx1xiz/561692031920>

It is Saturday, March 19, 2011 and it is about 9:50 am.

Thank you,
Randall K. Shingai

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:56 AM
To: 'alaneft@gmail.com'
Subject: RE: RDA Funds Transfer

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: alaneft@gmail.com [mailto:alaneft@gmail.com]
Sent: Saturday, March 19, 2011 9:24 AM
To: Kimberly Green
Subject: RDA Funds Transfer

The following has sent a message:

Name: Alan Eft
Email: alaneft@gmail.com
Comments: The San Jose Mercury News front page article on March 19, 2011 stated that the RDA was going to transfer \$4.5M (part of \$40M) to the 49ers.

I saw the online Agenda for the Special Meetings (Redevelopment Agency & SC Stadium Authority) for March 21, 2011 that stated: "Adoption of a Resolution approving a Pre-Development Funding Agreement between the Redevelopment Agency, Stadium Authority and 49ers Stadium Company." And the attachment stated that "The Redevelopment Agency and the Stadium Authority are considering entering into a funding agreement whereby the Redevelopment Agency will reimburse the 49ers Stadium Company for pre-development costs incurred on behalf of the Stadium Authority. The proposed resolution and agreement will be prepared and available at the meeting."

The Mercury News article said this action was to 'protect' the funds, but it seems to me that this is actually giving the funds away.

As a Santa Clara resident, I am against this action. Giving money to the 49ers (or any company) to pay for 'pre-development costs' even before there is a contract to build the stadium seems foolish and possibly giving away City funds that are desperately needed in other parts of the City.

Please do not transfer the funds to the 49ers until at least a contract to build the stadium has been signed.

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:56 AM
To: 'BettyEm'
Subject: RE: RDA funds

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: BettyEm [mailto:bmy1398@comcast.net]
Sent: Saturday, March 19, 2011 7:56 AM
To: Kimberly Green
Subject: RDA funds
Importance: High

I oppose giving RDA funds to the 49ers to pay for their stadium pre-development costs.

**BettyEm Myers
City of Santa Clara Resident**

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:56 AM

To: 'David Forney'

Subject: RE: I am opposed to giving RDA funds to the 49ers to pay for their pre-dev stadium costs!!!!

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: David Forney [mailto:mtelbertdcf@yahoo.com]

Sent: Saturday, March 19, 2011 4:02 AM

To: Kimberly Green

Subject: Re: I am opposed to giving RDA funds to the 49ers to pay for their pre-dev stadium costs!!!!

To the Mayor and Council Members,

I wholeheartedly agree with Kathleen on this matter. RDA funds should not be used to help the 49s pre-dev in any way, whatsoever.

Kind regards,

David Forney
4014 Fitzpatrick Way
Santa Clara, CA 95054

From: Kathleen Barnes <keb_713@yahoo.com>

To: MayorAndCouncil@santaclaraca.gov

Sent: Fri, March 18, 2011 11:43:04 AM

Subject: I am opposed to giving RDA funds to the 49ers to pay for their pre-dev stadium costs!!!!

To the Mayor and Council Members,

Please do not give / lend this money to the 49ers. Our city is in a financial crisis and to provide this money when there isn't money yet from the NFL or even a binding contract between Santa Clara and the 49ers is unthinkable and fiscally irresponsible!

Please remember - Measure J did not include asking the voters if they want to pay for the 49ers stadium pre-development costs!!!!

Our city is in the midst of a fiscal crisis. We now have a furlough day once a month with city offices closed, and Central library is often closed for 3 or 4 day weekends.

Santa Clara's RDA takes \$10 million in property taxes away from SCUSD each year.

Santa Clara Unified School District has just been hit with a \$9 million cut from the state, resulting in teacher/staff pink slips on top of layoffs of all first and second year teachers last year.

Our city General Fund and our schools could benefit from the property tax dollars currently being diverted into the RDA.

Please ensure our schools and libraries and teachers have funds!

Kind regards,
Kathleen Barnes
4014 Fitzpatrick Way
Santa Clara, CA 95054

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:56 AM
To: 'terry@psvillage.com'
Subject: RE: Opposed to giving RDA funds to 49ers for pre-development costs

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Terry Jansen [mailto:terry@psvillage.com]
Sent: Saturday, March 19, 2011 3:52 AM
To: Kimberly Green
Subject: Opposed to giving RDA funds to 49ers for pre-development costs

To Mayor Matthews and Council,

I am adamantly opposed to using RDA funds to bankroll the 49ers for their pre-development costs. When we voted on the stadium, we were told that it would in no way affect our General Fund. Our city services and schools are suffering. Please stand by your promise of not compromising our General Fund.

Respectfully,

Terry Jansen

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:55 AM
To: 'Michael VanAuker'
Subject: RE: The 49ers Stadium in Santa Clara

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

**Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771**

From: Michael VanAuker [mailto:michael.vanauker@gmail.com]
Sent: Saturday, March 19, 2011 3:16 AM
To: Kimberly Green
Subject: The 49ers Stadium in Santa Clara

It was a bad idea when first put to vote. We all know the pipe dreams about the pots of gold for the communities that build stadiums simply are not true. Look at Washington DC and what happened with the Nationals. Look at the way the Devil Rays tried to hold the city of St Petersburg hostage, but the city stood their ground and called their bluff. These are cities of millions of people who could not make a stadium work and yet you boondoggled a community less than a tenth their size into thinking this was a good idea. Now you want to give RDA funds to the 49ers to pay for their stadium pre-development costs.

Can you not see how highly inappropriate this is when we can't fund things with a much higher priority than a stadium?

Abandon this idea while you can still make fiscal sense for our community. PLEASE!

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:55 AM
To: 'lylecg@juno.com'
Subject: RE: 49er Stadium

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: lylecg@juno.com [mailto:lylecg@juno.com]
Sent: Saturday, March 19, 2011 3:01 AM
To: Kimberly Green
Subject: 49er Stadium

I believe that we are going down the wrong road with the recent plans to fund the pre development costs for the stadium. This was not the format that was voted on by the general public.

Lyle C. Gillison

Yvonne Galletta

From: Yvonne Galletta on behalf of Kimberly Green
Sent: Monday, March 21, 2011 11:55 AM
To: 'Cindy Church'
Subject: RE: Please do not extend the RDA funds to the 49ers

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Cindy Church [mailto:cindo_c@yahoo.com]
Sent: Saturday, March 19, 2011 1:56 AM
To: Kimberly Green
Subject: Please do not extend the RDA funds to the 49ers

Dear council and mayor,

I'm writing to voice my opinion regarding the upcoming vote "the Redevelopment Agency will reimburse the 49ers Stadium Company for pre-development costs incurred on behalf of the Stadium Authority".

Please do not give any funds to the privately owned San Francisco 49ers. I do not agree to using public dollars to fund a sport organization, especially when the city is operating within a fiscal crisis. How can a sports team matter more to you than the citizens of Santa Clara?

Please, please, please do not spend any money on the 49ers. Let San Francisco finance the team.

Thank you,
Cindy Church

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:54 AM
To: 'David Song'
Subject: RE: OPPOSED TO TRANSFERRING CITY FUNDS TO THE 49ERS

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: David Song [mailto:david.l.song@gmail.com]
Sent: Saturday, March 19, 2011 12:50 AM
To: Kimberly Green
Subject: OPPOSED TO TRANSFERRING CITY FUNDS TO THE 49ERS

I strenuously oppose the proposal to transfer redevelopment funds to the 49ers.

City council members have an obligation to manage city funds responsibly, and citizens should have an opportunity to review any contract the city pursues with the 49ers.

I urge you to vote against any transfer of tax revenues from the redevelopment agency to the 49ers!

Sincerely,
David Song
1162 Fremont St., Santa Clara, CA

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:54 AM
To: 'Diane Fleck'
Subject: RE: 49er Stadium

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Diane Fleck [mailto:fleck.diane@yahoo.com]
Sent: Friday, March 18, 2011 5:17 PM
To: Kimberly Green
Subject: 49er Stadium

I am a long-time Santa Clara resident, home-owner, and ALWAYS a voter.

My son had to complete a research project a couple of weeks ago, over the holiday weekend. On Firday, his teachers told the kids they had to have at least 2 books as resources. We thought we would go to the library to find some books -- but no, the library was closed Friday THROUGH Monday, and his report was due on Tuesday.

What kind of City puts the 49ers ahead of our kids and libraries? Not one that I would vote for.

Please do NOT continue this scheme to help the 49ers with our hard-earned tax money. The RDA money is not theirs or yours to just throw around !They make enough money that they can pay for it themselves if they want it.

Diane Fleck

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:53 AM
To: 'Charles Tucker'
Subject: RE: RDA Funds

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Charles Tucker [mailto:tuckeremail@pacbell.net]
Sent: Friday, March 18, 2011 4:05 PM
To: Kimberly Green
Subject: RDA Funds

Mayor & Council,

I believe another look at the proper use of RDA funding for redevelopment use only (blighted areas of the city, earthquake upgrades, housing) would be a prudent direction for the City of Santa Clara at this time.

Clearly the stadium situation is getting way beyond our ability to acquire the funds for a viable project. The 49ers are not committed to making the change to Santa Clara. They will use their funds to support a stadium in San Francisco whenever their supervisors come forward with a stadium location and funding.

The support from the business community and residents of San Francisco for the upcoming America's Cup competition is a current example of how quickly they will react to make sure they bring in money to the local businesses.

With the incredible deficits facing Santa Clara, it is time to pull the plug on the stadium project. The State of California is going to cut RDA funding across the board. We can't get caught in the scramble for the few funds that may be available-we will lose. A stadium project will not hold water in the battle for limited RDA funds when so many other redevelopment projects will be viewed more forthcoming regarding the quality of life of our citizens.

Please take another look at this and make a decision that will convince the state that RDA funds should continue to come to Santa Clara.

Thanks for your service to Santa Clara.

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:51 AM
To: 'Lynette Nguyen'
Subject: RE: Opposed to sponsoring the 49er stadium

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Lynette Nguyen [mailto:lynette.dot.n@gmail.com]
Sent: Friday, March 18, 2011 12:54 PM
To: Kimberly Green
Subject: Opposed to sponsoring the 49er stadium

Mayor and Council,

Please stop the sponsoring of the 49er stadium. Giving the 49ers RDA funds for predevelopment costs is not a sound decision. Those funds should be used for the school district not on a speculative deal with a stadium.

--

Thanks,
Lynette Nguyen

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:51 AM

To: 'Kathleen Barnes'

Subject: RE: I am opposed to giving RDA funds to the 49ers to pay for their pre-dev stadium costs!!!!

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

**Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771**

From: Kathleen Barnes [mailto:keb_713@yahoo.com]

Sent: Friday, March 18, 2011 11:45 AM

To: Kimberly Green

Subject: I am opposed to giving RDA funds to the 49ers to pay for their pre-dev stadium costs!!!!

To the Mayor and Council Members,

Please do not give / lend this money to the 49ers. Our city is in a financial crisis and to provide this money when there isn't money yet from the NFL or even a binding contract between Santa Clara and the 49ers is unthinkable and fiscally irresponsible!

Please remember - Measure J did not include asking the voters if they want to pay for the 49ers stadium pre-development costs!!!!

Our city is in the midst of a fiscal crisis. We now have a furlough day once a month with city offices closed, and Central library is often closed for 3 or 4 day weekends.
Santa Clara's RDA takes \$10 million in property taxes away from SCUSD each year.
Santa Clara Unified School District has just been hit with a \$9 million cut from the state, resulting in teacher/staff pink slips on top of layoffs of all first and second year teachers last year.
Our city General Fund and our schools could benefit from the property tax dollars currently being diverted into the RDA.

Please ensure our schools and libraries and teachers have funds!

Kind regards,
Kathleen Barnes
4014 Fitzpatrick Way
Santa Clara, CA 95054

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:51 AM
To: 'rhugo1933@aol.com'
Subject: RE: RDA Funds

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: rhugo1933@aol.com [mailto:rhugo1933@aol.com]
Sent: Friday, March 18, 2011 10:50 AM
To: Kimberly Green
Subject: RDA Funds

Give tax funded RDA funds to the 49er's? Is this legal? Let alone poor fiscal management when the City has a deficit. Bob Hughes

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:51 AM
To: 'Debbie Regalbuto'
Subject: RE: RDA money

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Debbie Regalbuto [mailto:dregal85@gmail.com]
Sent: Friday, March 18, 2011 10:48 AM
To: Kimberly Green
Subject: RDA money

The RDA should NOT reimburse the 49ers for pre-development costs. This money is desperately needed by SCUSD for our children, not for a stadium that is years off with no NFL funding and during a lockout. I voted against Measure J, but those who voted for it did not approve this use of funds.

Respectfully,
Debbie Regalbuto

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:50 AM
To: 'Bollman, Heather'
Subject: RE: Opposed to giving RDA funds to the 49ers to pay for their stadium pre-development costs
Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Bollman, Heather [mailto:heather.bollman@sap.com]
Sent: Friday, March 18, 2011 10:38 AM
To: Kimberly Green
Subject: Opposed to giving RDA funds to the 49ers to pay for their stadium pre-development costs

Dear Mayor and Council,

I am a concerned citizen of Santa Clara opposed to giving RDA funds to the 49ers to pay for their stadium pre-development costs. With the current state of the Santa Clara budget, I can't support throwing more funds at the 49ers. My son is without a place to go after school again today because the Teen Center is closed, which means I will need to leave work early to pick him up. He was also unable to finish a class project on time because the library was closed on the weekend, so that his group didn't have a place to meet and finish their research. I hear that next year schools will not have nurses, librarians, or music teachers. Our children are being denied the basics yet we have money for the 49ers? Maybe I am missing something, but this just doesn't seem right.

Thank you,

Heather Bollman

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:50 AM
To: 'CINDY EFT'
Subject: RE: RDA Money

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: CINDY EFT [mailto:cindyeft@comcast.net]
Sent: Friday, March 18, 2011 9:38 AM
To: Kimberly Green
Subject: RDA Money

Dear Mayor and Council,
I understand the City Council is voting to give our RDA money to the 49er's.

I strongly oppose giving the 49er's the RDA money. This really boggles my mind that our city council would even consider this measure. The NFL has told them they do not have the money to back this stadium. The NFL is now in a lock down. I strongly ask that the city council reconsider this and have the 49er's find another means of getting the money they need. I also feel the people of Santa Clara did not vote for the city council to give away our RDA money. I would think we should have a say in this by voting. Our economy is in a crisis, please DO NOT go ahead with this.

Sincerely,

Cindy Eft
2305 Falling Water Ct.
Santa Clara, Ca.

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:49 AM
To: 'Leonne '
Subject: RE: Using RDA money for Stadium Development costs

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Leonne [mailto:leonne3@gmail.com]
Sent: Friday, March 18, 2011 9:34 AM
To: Kimberly Green
Subject: Using RDA money for Stadium Development costs

Please wait until we have a binding agreement with the 49'rs before we start paying for development costs. I would love to see the money used to keep of Library and Senior Center open more.

Sincerely,
Lee (Leonne) Broughman
3542 Geneva Drive
Santa Clara, CA 95051

Blessings,
Lee Broughman
408-598-2790

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:49 AM
To: 'tpettenati@yahoo.com'
Subject: RE: No RDA \$\$\$ to 49ers

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: tpettenati@yahoo.com [mailto:tpettenati@yahoo.com]
Sent: Friday, March 18, 2011 8:49 AM
To: Kimberly Green
Subject: No RDA \$\$\$ to 49ers

The following has sent a message:

Name: Tim Pettenati
Email: tpettenati@yahoo.com
Comments: Dear Mayor and Council,

I am strongly opposed to using Redevelopment Agency dollars in any way, shape, or form to fund the 49ers stadium. In the current economic environment such follies should not be tolerated. I feel this is outright abuse of RDA funding, which should ONLY be used for infrastructure improvements that directly benefit ALL the citizens of Santa Clara.

For an example of how to make common sense use of RDA funds look to Contra Costa Centre Transit Village, which has 7,000 employees, 6,000 residents and 6,000 daily BART patrons, and is a model of how redevelopment can be used to facilitate smart growth. The area near Great America is ripe for this type of development, with the intersection of Light Rail and CalTrain.

Regards,
Tim Pettenati
30+ year Santa Clara resident

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:49 AM
To: 'Ken Thomas'
Subject: RE: RDA funds

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Ken Thomas [mailto:krt@yahoo-inc.com]
Sent: Friday, March 18, 2011 8:24 AM
To: Kimberly Green
Subject: RDA funds

Dear Mayor and City Council,

We see that the city is considering...

"... entering into a funding agreement whereby the Redevelopment Agency will reimburse the 49ers Stadium Company for pre-development costs incurred on behalf of the Stadium Authority."

-- Carol McCarthy, Acting Assistant City Manager

As concerned long time Santa Clara residents, we urge you to please put the city first during these difficult financial times and stop giving away our money. If the 49ers can't pony up their portion of the funds, then that should be a warning flag that this is a bad financial deal for the city. It's in their corporate best interests to pay as little as they can possibly get away with and if they can dupe the city into paying more and more, that's just good business for them.

Someone needs to be looking out for the city's best interests and that's supposed to be you. Please do the financially responsible thing and do not allow this to happen.

Thank you,

Linda & Ken Thomas

3/21/2011

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:49 AM
To: 'George Doeltz'
Subject: RE: RDA Funds

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: George Doeltz [mailto:gdoeltz@gmail.com]
Sent: Friday, March 18, 2011 6:52 AM
To: Kimberly Green
Subject: RDA Funds

"The City of Santa Clara Redevelopment Agency and its Stadium Authority will be holding a special meeting on Monday, March 21, at 7p.m. in Council Chambers to consider entering into a funding agreement whereby **the Redevelopment Agency will reimburse the 49ers Stadium Company for pre-development costs** incurred on behalf of the Stadium Authority. "

Have you people considered what your greed is doing to the City?

George Doeltz
3029 Barkley Ave
Santa Clara

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:47 AM

To: 'rhugo1933@aol.com'

Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: rhugo1933@aol.com [mailto:rhugo1933@aol.com]

Sent: Sunday, March 20, 2011 10:10 AM

To: Kimberly Green

Subject: Stadium

Have you read the Santa Clara's Code of Ethics lately?

Item 1c. I make impartial decisions, free of bribes, unlawful gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or action. I suggest that any Council member who has received any funds for any purpose from the 49er's has a conflict of interest and should recuse themselves from any vote on the Stadium. Item 4a. I make decisions after prudent consideraton of their financial impact taking into account the long term financial needs of the City especially its financial stability. Yes, the voters approved the Stadium but things change. Now that the City had a deficit with more to come, save the RDA funds for the taxpayers.

Bob Hughes

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:45 AM

To: 'Brian Rose'

Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Brian Rose [mailto:brose4@gmail.com]
Sent: Sunday, March 20, 2011 10:24 AM
To: Kimberly Green
Subject: Prospective use of Property Taxes for the 49ers

Hello Mayor and Council Members,

I am extremely opposed to your considering using our property tax monies for the 49ers stadium planning. It is an economically difficult time we are currently in and I believe we are unsure when this will change. We need this money for our communities especially in this time of money grabbing by the State, etc. If we don't need the property tax money for what it was intended it should not be taken in the first place. I have been a small business owner in Santa Clara in the past and have been able to finance my business needs. I believe a business that makes as much money as the NFL and the 49'ers can finance their business needs.

I will be paying attention to your vote on this issue and will be sharing your voting behavior.

Thank you for taking the time to read this.
Sincerely, Brian Rose

3/21/2011

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:43 AM

To: 'Howard Myers'

Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Howard Myers [mailto:1hmyers1@comcast.net]

Sent: Sunday, March 20, 2011 5:54 PM

To: Kimberly Green

Subject: RDA funds

Honorable Mayor and council members,

It should become clear to all of you at some point, there will be no stadium.

Between the labor dispute, the dismal performance of the team and the fact the 49ers cannot even come up with the money they promised, the chances of a stadium are slim and none. (And Slim just left town)

If you stop now, instead of doubling down on this losing bet, you can salvage a little of your integrity.

However if you pull this stunt and are left standing at the alter when the 49ers can't pony up, you will have lost all integrity and your standing in the community.

Think about it before you go through with this.

Kindest regards,

Howard Myers
Las Palmas Dr,
Santa Clara

3/21/2011

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:36 AM
To: 'Lynette Nguyen'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Lynette Nguyen [mailto:lynette.dot.n@gmail.com]
Sent: Sunday, March 20, 2011 9:09 PM
To: Kimberly Green
Subject: No city money for 49ers stadium

Dear mayor and council,

Please stop funding a program that will not return the money to city residents in the long run. Do not fund a program that will cause more pollution and freeway gridlock.

--

Thanks,
Lynette Nguyen

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:36 AM
To: 'Lynette Nguyen'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Lynette Nguyen [mailto:lynette.dot.n@gmail.com]
Sent: Sunday, March 20, 2011 9:09 PM
To: Kimberly Green
Subject: No city money for 49ers stadium

Dear mayor and council,

Please stop funding a program that will not return the money to city residents in the long run. Do not fund a program that will cause more pollution and freeway gridlock.

--

Thanks,
Lynette Nguyen

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:35 AM
To: 'Regina Williams'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: regina @dslextreme.com [mailto:regina@dslextreme.com] On Behalf Of Regina Williams
Sent: Sunday, March 20, 2011 9:28 PM
To: Kimberly Green
Subject: RDA Funds to the 49ers

Mayor and Council of City of Santa Clara,

We are strongly opposed to giving \$4.5 million of our RDA funds to The San Francisco 49ers. We believe our property tax dollars that are going into the RDA should go to the City's General Fund and Santa Clara Unified School District.

Closing the library for 3 and 4 day weekends while subsidizing a stadium for the 49ers shows a failure to keep our priorities straight.

Ken and Regina Williams
Residents, City of Santa Clara

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:33 AM
To: 'Marc Fontana'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

**Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771**

From: Marc Fontana [mailto:marcf4u@sbcglobal.net]
Sent: Sunday, March 20, 2011 9:29 PM
To: Kimberly Green
Subject: Why do I get the feeling our city leaders are up to no good?

Dear Mayor and Council,

I vehemently oppose giving \$4.5 Million or \$40 to the SF 49ers. With the state of our city's finances, if you think this is wise you must be insane. Don't do it Please. What does it take to convince you to avoid going down this road? Don't do it now. You will regret it later.

Sincerely,

Marc Fontana

--

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:32 AM

To: 'ron'

Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: ron [mailto:misterz13@aol.com]
Sent: Sunday, March 20, 2011 9:51 PM
To: Kimberly Green
Subject: Hiding Redevelopment funds / Ashamed to be a Santa Claran

Mr. Mayor and Council Members,

I can honestly state that for the first time in over 40+ years as a Resident of Santa Clara that I am embarrassed and ashamed to say where I live.

Your cunning plan to hide redevelopment money by giving it to the 49ers organization is an atrocious plan that can be likened to making a deal with the devil. It is not even clear or guaranteed that the team will make the move. The 4.5 million dollars will be locked up and not useable for years.

By eliminating California's redevelopment agencies, the Governor plans to redeploy the funds to **schools, health programs and other needed services**. Perhaps our Citizens would be better served if your creativity was channeled towards preserving or using these funds in a manner more suited to our immediate needs.

Please think beyond bringing a Stadium to our city. Search your conscience carefully and be sure that your vote is both morally correct and ethically sound.

Sincerely,
Ron Zea
129 Gilbert Ave

3/21/2011

Santa Clara CA

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:22 AM

To: 'f.c@juno.com'

Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

**Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771**

From: f.c@juno.com [mailto:f.c@juno.com]

Sent: Sunday, March 20, 2011 10:39 PM

To: Kimberly Green

Subject: opposed!

I am opposed to giving any of Santa Clara RDA funds to the 49er's or any other company.
Frances Carrasco

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:21 AM

To: 'mossman'

Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: mossman [mailto:dmossmann@ix.netcom.com]
Sent: Monday, March 21, 2011 3:27 AM
To: Kimberly Green
Subject: Please do not give the RDA money to the 49ers

I am appalled that you would even entertain the idea of giving money to the 49ers.

Let the banks give them a loan if they need it and use the RDA for our schools or infrastructure.

Daryl Mossman

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 11:20 AM

To: 'Rosemary Grow'

Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Rosemary Grow [mailto:melgib_3@yahoo.com]

Sent: Monday, March 21, 2011 6:37 AM

To: Kimberly Green

Subject: RDAs

Dear Mayor and City Council:

I'm very disturbed by your newest scheme. Now you are planning on GIVING the 49ers 4.5 million dollars! Are you crazy? All of the other cities are scrambling to protect their RDA money, yet you went a step further!

First of all, you lied about the Measure J campaign. If all Santa Clarans had known what you were really doing, they would NOT have voted for the Stadium!

Also, I can't believe that your staff salaries to work on the stadium project is so far \$600,000! Don't you think that money could have been better spent elsewhere! Like the CITY OF SANTA CLARA!

Don't get me wrong, I have no problem with the RDAs. They can be a good thing. But the RDAs are supposed to fix blighted neighborhoods. NOT TO BUILD STADIUMS!

You don't care anything about the citizens of Santa Clara. You just want to rub elbows with the 49ers! Let me guess, once our property taxes go up to build this, none of you will be living in Santa Clara anymore so you won't pay the taxes!

Why don't you let the 49ers pay for it! Jed York and the NFL have the money....we don't!

I'm so disgusted with you all! You should all be recalled...except for Jamie McLeod!

Rosemary Grow

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:11 AM
To: 'David Pirogowicz'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: David Pirogowicz [mailto:david.pirogowicz@sri.com]
Sent: Monday, March 21, 2011 8:31 AM
To: Kimberly Green
Subject: Opposed to giving RDA funds to the 49ers.

Mayor & Council, I am opposed to giving RDA funds to the 49ers.

thank you,
David Pirogowicz
594 Park Ct.
Santa Clara, CA 95050

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:10 AM
To: 'Edward Schulte'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

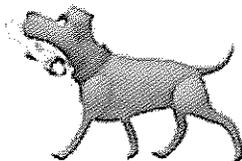
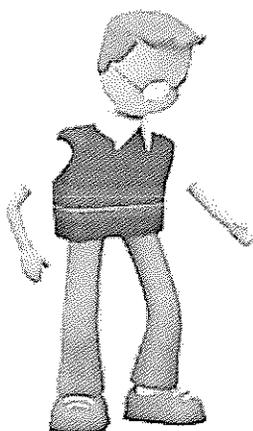
Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Edward Schulte [mailto:eddschulte@yahoo.com]
Sent: Monday, March 21, 2011 8:35 AM
To: Kimberly Green
Subject: RDA Money!

We oppose giving the RDA money to the 49ers!! Maybe we need a recall election to find a mayor and a council which will safeguard the money given by the state from taxpayers, for school, library's and blight areas. The stadium does not fall in any of these categories. Start doing the job you was elected to do or resign. if the 49ers have so much money they can pony up the money themselves.

Ed & Carolyn Schulte



Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 11:08 AM
To: 'bobby akadenise'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: bobby akadenise [mailto:bobbyakadenise@yahoo.com]
Sent: Monday, March 21, 2011 8:38 AM
To: Kimberly Green
Subject: No on 49'er stadium in Santa Clara

Hello,

I would like to express my opinion as one of your constituents - please do NOT give any tax or other money for a 49er stadium in Santa Clara. I don't believe some of the people who voted yes really thought about what it would mean (hassle, traffic, more costs to Santa Clara citizens, lower property values) to build the stadium here. After all, this is a sports stadium -- by building it we are promoting a big league expensive sports stadium for over-paid players and owners and not even given a few bucks to our school children.

Please DO NOT continue with this. Stop it now.

Regards,
Denise Miller
3141 Mark Ave
Santa Clara, CA 95051

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 10:56 AM
To: 'Samuel Winklebleck'
Subject: Correspondence re: March 21, 2011 Special Noticed Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Samuel Winklebleck [mailto:samwinksr@aol.com]
Sent: Monday, March 21, 2011 8:51 AM
To: Kimberly Green
Subject: stadium funds

I am opposed to giving funds to the 49ers for the planned stadium. Please vote no on this plan to further drain the city's funds.
Sam Winklebleck

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 10:51 AM
To: 'Bob Hills'
Subject: RE: This is why we are in trouble.

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

-----Original Message-----

From: Bob Hills [mailto:hilbillie@apple.com]
Sent: Monday, March 21, 2011 9:08 AM
To: Kimberly Green
Subject: This is why we are in trouble.

Giving away money to a company that is in no financial difficulty is not using the brains God gave you. It is this type of thinking that has put our Nation and State in the situation we are in now. We need to take care of finances and not float this give away. Would you put up all of your money? I sure as hell would not till I was on solid ground finically.

Robert Hills

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 10:48 AM
To: 'CINDY EFT'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting. Also, in regards to the former Mervyn's Plaza, the City Manager's Office will respond to your inquiry.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: CINDY EFT [mailto:cindyeft@comcast.net]
Sent: Monday, March 21, 2011 9:33 AM
To: Kimberly Green
Subject: RDA Money

Dear Mayor & Council,

I have another thought on what the RDA money can be used for. Why don't you use that money to redevelopment the old Mervyn's shopping center. That would bring in money to the city. I understand that Target and Walmart wanted to go in there and the city wouldn't let them.

Cindy Eft
2305 Falling Water Ct.
Santa Clara, Ca. 95054

Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 10:45 AM

To: 'Ralph'

Subject: Correspondence re: March 21, 2011 Special Noticed Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

Yvonne

From: Ralph [mailto:humphreypc@gmail.com]
Sent: Monday, March 21, 2011 10:04 AM
To: Kimberly Green
Subject: Redevelopment Funds, Please reconsider.
Importance: High

Mayor Jamie Mathews, City Manager, Council and Staff;

I believe the people voted for JOBS, not the 49ers Football organization.

“J for jobs” Not jobs, maybe two years from now.

The City and the Nation are on the financial brink of recovery from a deep
Recession and a large percentage of unemployment still prevails in our City.

How many JOBS will it cost us NOW to give the 49ers 4.5 Million
Dollars Plus 35.5 Million in the future?

How many other City services will have to be reduced, people laid off?

Our Tax Dollars must be handled Responsibly.

I believe the people voted for JOBS.

Please reconsider...

Thank You, Ralph Humphrey (40 year Santa Clara Resident and Business Owner)

3/21/2011

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 10:45 AM
To: 'irene@irenejacobson.com'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

Yvonne

From: irene@irenejacobson.com [mailto:irene@irenejacobson.com]
Sent: Monday, March 21, 2011 10:08 AM
To: Kimberly Green
Subject: Vote on the stadium redevelopment funds

Dear Mayor and Council,

I was shocked to read in Saturday's (3/19) Mercury News that the city is planning on giving the 49'ers the \$4.5 million redevelopment money to 'hold'. I agree with the Mercury News that this is a 'shell game' that takes the money out of 'our' hands and gives it to someone else. This is a very bad idea.

This is putting control of the money into non-city hands, where will be the accountability of the money? How far can we trust the NFL and the 49er management? What if the funds are invested for us and then in 3 years 'oh well it was a bad investment and your money is gone?'

This type of scenario can happen, ask Bernie Madoff's 'friends'.

I voted for the stadium; please do not make me regret that I thought I could trust the city to be prudent in its evaluation and execution of the stadium project. This is NOT WHAT I VOTED FOR, when I voted 'yes' for the stadium.

As concerned longtime Santa Clara resident, I urge Santa Clara to please put the citizens' needs first during these difficult financial times and be responsible with our money. If the 49ers can't pony up their portion of the funds, then that should be a warning flag that this may be a bad financial deal for the city.

I would rather go without having the 49ers in Santa Clara but have a financially stable and

3/21/2011

growing community than the reverse.

Please be responsible to all the citizens of the city and do not allow this to happen.

Irene Jacobson,

Carmel Way, Santa Clara

Irene Jacobson

Your Residential Property Consultant

Keller Williams Realty®

408-656-6096

Website <http://www.irene-claudia.com>

CA License #01313636

2110 S. Bascom Ave., Campbell, CA 95008



Yvonne Galletta

From: Yvonne Galletta

Sent: Monday, March 21, 2011 10:44 AM

To: 'jmeagherjim@aol.com'

Subject: Correspondence re: March 21, 2011 Special Noticed City Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: jmeagherjim@aol.com [mailto:jmeagherjim@aol.com]
Sent: Monday, March 21, 2011 10:31 AM
To: Kimberly Green
Subject: I am against \$ for 49ers. James Meagher

Hi I am very much against the money going to the 49ers. I am retired , a voter on a fixed income and very concerned about the spending of our city. This is not the time to handing out money. The 49ers should be able to handel this without "our" tax dollers. I appreciate the good work you have done , but on this issue I am against it. Thank you for your time.

James H. Meagher
1730 Halford Ave. #257
Santa Clara , CA. 95051
408-249-5359
JMeagherjim@aol.com

Yvonne Galletta

From: Yvonne Galletta
Sent: Monday, March 21, 2011 10:42 AM
To: 'dbuch981@msn.com'
Subject: Communications for March 21, 2011 Council Meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Paul Buchanan [mailto:dbuch981@msn.com]
Sent: Sunday, March 20, 2011 11:16 PM
To: Mayor and Council; Manager
Cc: Howard Mintz; Lisa Fernandez; Miles Barber
Subject: YourTreading On Very Thin Ice Giving Tax Money to a Private LLC Organization !

City of Santa Clara, California
Mayor & Council
City Manager, Legal & Planning Department
1500 Warburton Ave.,
Santa Clara, CA 95050

All Concerned,

According to the San Jose Mercury News, on Monday March 21,2011 the Santa Clara City Council under the direction of Mayor Jamie Matthews and with persuasion from Carol McCarthy, acting city manager, the Santa Clara City Council intends to give over \$4,000,000 (4 million) of public RDA tax funds to the 49er's organization for the express purpose of avoiding the possible legal acquisition of those funds by the State of California.

The money supposedly is earmarked for a sports stadium which may never occur whereas the State of California is entitled to grasp all misappropriated tax funds for which these funds were originally intended.

This "***knee-jerk***" action by the City Council representatives of Santa Clara is far too hasty and no doubt illegal, for which the city of Santa Clara will be a public embarrassment and will eventually lead to additional vast legal sums to retract the money back from a private **LLC organization** which could collapse and create an endless pursuit.

Like many other cities in California, intentional diversionary steps have been already been taken to avoid state acquisition of illegally earmarked funds but to actually transfer public funds to a private firm is taking drastic and dangerous steps without any certainty of any sort, regardless of what is stipulated.

A very frightening and stupid move indeed !

Donald P Buchanan
dbuch981@msn.com
2637 Kerryshire Lane
Santa Clara, CA 95051

Yvonne Galletta

From: Manager
Sent: Monday, March 21, 2011 9:45 AM
To: Carol McCarthy; Yvonne Galletta
Subject: FW: YourTreading On Very Thin Ice Giving Tax Money to a Private LLC Organization !

fyi

From: Paul Buchanan [mailto:dbuch981@msn.com]
Sent: Sunday, March 20, 2011 11:16 PM
To: Mayor and Council; Manager
Cc: Howard Mintz; Lisa Fernandez; Miles Barber
Subject: YourTreading On Very Thin Ice Giving Tax Money to a Private LLC Organization !

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Donald P Buchanan
dbuch981@msn.com
2637 Kerryshire Lane
Santa Clara, CA 95051

Jennifer Yamaguma

From: Yvonne Galletta
Sent: Monday, March 21, 2011 4:14 PM
To: 'Claire Smyth'
Subject: Correspondence re: March 21, 2011 Special Noticed City Council meeting

Your email has been received and will be forwarded to the Mayor and Council for tonight's special noticed Council meeting.

Thank you.

Yvonne Felix Galletta
Executive Assistant to the City Manager
City of Santa Clara
"All America City"
1500 Warburton Avenue
Santa Clara, CA 95050
Office: (408) 615-2214
Fax No.: (408) 241-6771

From: Claire Smyth [mailto:smythclaire@hotmail.com]
Sent: Monday, March 21, 2011 4:11 PM
To: Kimberly Green
Subject:
Importance: High

The city of Santa Clara is not an ATM machine for Jed York and the 49ers.

Please do not give the 49ers organization the money that we need for schools and roads.

RDA money is city taxpayer's money, used to benefit the people who put the money into the account, the taxpayers. It's not a Christmas gift card for the 49ers organization to use as they see fit.. I am angry (actually, try LIVID) that our mayor and council members have behaved so irresponsibly with MY money as a taxpaying citizen of Santa Clara. Services are being cut, city employees have been laid off, and yet, they want to give 4.9m to the 49ers. The closed door meetings, the free police escorts (until they got caught), the fact that they've subsidized the 49ers training facility for all these years have not impressed me in the least about our city council, especially with the depleted city reserves. I also don't buy the trick of creating a newly named group to park the money in. The stadium authority, the RDA authority, all seem to conveniently come down to the same people taking, literally my money to give to the 49ers. Conflict of interest? You bet. At this point, I have more respect for the panhandler at Trimble and De La Cruz. At least I have a better understanding of what his motivation is, over my local city government.

Please come to your senses and become a city council that cares for the interests of its

citizens over the interests of developers and sports team owners. We need a city government that works for us, not the Yorks.

The time is long past due.

Claire Smyth
smythclaire@hotmail.com

Elizabeth Elliott

From: Nic Dell [livefournoww@yahoo.com]
Sent: Monday, March 21, 2011 4:24 PM
To: Kimberly Green
Subject: Fw: Santa Clara's RDA

I sent this letter to the city council earlier, but have revised it slightly. Please see revised portion in **boldface** at end of letter.

Thank you.

Respectfully, Nick Dellaporta

Dear Mayor Matthews and Council Members,

As a concerned resident of Santa Clara, I realize the value of our city's Redevelopment Agency. However, I also realize the motivation Governor Brown has in deciding that he must eliminate them. This decision could not have been easy. Indeed, as an experienced and highly knowledgable and practical-minded two-time governor of California, he must be aware of their value in helping the economy of cities of this state. However, in times like these, public education and health care are in as dire need of help as the economic well-being of cities such as Santa Clara. Governor Brown is keenly aware of how urgently public education and health care need more money.

For this reason, I urge the City Council not to move our city's RDA funds to from the city's hands and into the hands of the 49ers. The potential loss of this money to the State of California seems like theft; it is, after all, our city's money. The city as a whole worked hard to collect and save this money for its own purposes. It can be used for many useful projects-- not only the propsoed stadium. But we must realize that the state government wants to use this money for a need that is, in their eyes, just as important as the uses the city wishes to use it for. We must realize that if the state uses our RDA funds, they will use it to help our public education system, which will inevitably help our city's public schools.

It may be that in the complex funding for the stadium, our schools will get funds if the proposed stadium is built. However, we now have an opportunity to help our schools without building a stadium. Many people who support the stadium do so because in theory it is intended, in part, to help our schools get more money. Now Governor Brown wants to help our schools with a more direct and even more substantial strategy. I believe it is wiser to trust Governor Brown and give the state government our RDA funds, or at the very least, voluntarily give a relatively sizeable portion of our RDA funds to our state government to help our public educational system.

The most important question to ask is, "What is most important to us: the education of our children and the health of Californians, or the belief that a stadium in our city will be profitable to such a degree that our city will be able to rely on it as a major revenue-generator?" In my opinion, Santa Clara is too confidnet in believing that the stadium will be consistently profitable. Further, many people in our city, including members of our City Council, seem so distracted by the issue of revenue and jobs, that we have forgotten to fully appreciate and realize the educational needs of our children and the health care needs of Californians. Our schols are in dire need of a stronger more robust budget. Our city will benefit from Governor Jerry Brown's proposal to eliminate RDAs. It is time to remember that we have an obligation to be Californians first and Santa Clarans second. Please do not give the 49ers our RDA funds. Please consider how our governor's plans and intentions will help Santa Clara. **Moreover, please**

3/21/2011

consider how your proposed actions could potentially hurt our city and our state.

Respectfully,

Nick Dellaporta
Resident of Santa Clara

3/21/11

2ARDA/
2ASA

Overview of Predevelopment Funding Agreement with the RDA, Stadium Authority and 49ers Stadium, LLC

March 21, 2011

Predevelopment Funding Agreement

Three parties to agreement:

- Redevelopment Agency (RDA)
- Stadium Authority (SA) – owner and developer of stadium
- 49ers Stadium LLC (Stadco)

Stadco Predevelopment Costs

- Stadco has incurred various predevelopment costs to date
- Stadco expects do further predevelopment work for the benefit of the Stadium Authority
- Site preparation (“make-ready work”) will begin soon to meet construction timeline
- Stadco requesting reimbursement from the Stadium Authority for predevelopment costs
- Predevelopment costs includes SA Operating costs

Stadco Predevelopment Costs

- Stadium Authority and Stadco will negotiate in good faith a budget for SA operating costs
- Upon execution of agreement, Stadco will submit an estimated budget for make-ready work and SA operating costs
- Use of SA funds beyond make-ready work require budget submittal and approval by Executive Director
- Stadco required to keep full and complete records, and provide monthly reports to SA

Payment of Initial Make-Ready Funds

- SA advances \$4 million to Stadco upon execution of agreement
- Kept in separate account, along with any interest earned
- May be used only for make-ready work and SA operating costs in accordance with approved budget
- SA will also hold RDA portion of development fees in separate account
- Funds returned to/retained by SA if stadium is not built

Advance of Preconstruction Costs

- Stadco payment of predevelopment costs is advance of RDA contribution to SA (\$40 million max)
- SA will repay Stadco advance with net tax increment and bond proceeds
- Net tax increment will be deposited in escrow account
- Funds held until stadium construction begins
- Funds returned if stadium not built

Staff Recommendation

- Adopt the Resolution approving the Predevelopment Funding Agreement between the Redevelopment Agency, Stadium Authority and Forty Niners Stadium, LLC, providing funding from tax increment revenues for certain costs associated with the Stadium Project

Reasons for Staff Recommendation

- Voters approved Measure J
- Funds have been earmarked consistent with Term Sheet and Measure J
- Consistent with terms of Coop Agreement approved February 2011
- Consistent with actions taken on parking garage and substation
- Meets previously established timeline for Stadium construction

- Allows the Stadium Authority and Stadco to proceed with site preparation
- City will own infrastructure improvements regardless of whether Stadium is built
- If Stadium is not built, unspent funds will be returned

3/21/11

JA RDA

Santa Clara Plays Fair

www.SantaClaraPlaysFair.org

P.O Box 6244 Santa Clara, CA 95056-6244

Mr. Mayor, Santa Clara City Councilmembers and City Staff, thank you & good evening. I'm Bill Bailey and I have lived in Santa Clara for 21 years. I'm the Treasurer of **Santa Clara Plays Fair • org**. All of us are volunteers.

You are moving to hand off \$4.5 million dollars in public money from our Redevelopment Agency to a private corporation. That private corporation provides no services or goods of any kind to the City or Agencies. By SB 43, in fact, the 49ers have exempted themselves from a portion of our City's Charter.

Santa Clarans have witnessed nearly four years of giveaways to the 49ers. This evening's additional round of "*RDA Keepaway*" is the most blatant that I've seen so far.

And if in fact you are using an overwrought interpretation of the Governor's RDA phaseout in order to justify paying off the 49ers' own development costs with as little public fuss as possible, that's absolutely unfair to us.

The City of Santa Clara owes the San Francisco 49ers not one cent. Council and RDA have already voted a total of \$2.8 million *of this same RDA cash* for our own predevelopment costs. At one resident's request, City Staff released records showing \$612K in city staff time spent on the stadium project. In other words: **Our city is already out ~\$3.4 MILLION – yet the 49ers demand still more.**

No sir. There is only one place for that \$4.5 million in cash, **and that is with the successor Agency which you've promised us will protect the interests of all Santa Clarans.** That is the Santa Clara Stadium Authority – not the San Francisco 49ers.

With this latest handout, the Agencies meeting this evening have indeed become the 49ers' ATMs...

...and this All-American City deserves better.

Thank you.

POST MEETING MATERIAL

Development Costs PAID by Santa Clara's Redevelopment Agency:
49ers Stadium "Feasibility" Study / Term Sheet / DDA

City Council Mtg. Date	KMA :	*	Goldfarb, Lipman:	*	KNN:	*	Totals
4/3/2007	\$75,000	F	\$68,000	F			
7/10/2007	\$65,000	F	\$50,000	F			
10/9/2007	\$95,000	F	\$90,000	F			
2007:	\$235,000		\$208,000				\$443,000
2/12/2008	\$150,000	T	\$225,000	T			
2/12/2008	\$45,000	F					
12/2/2008	\$100,000	T					
2008:	\$295,000		\$225,000				\$520,000
2/24/2009	\$37,000	T					
4/21/2009	\$100,000	T					
7/14/2009	\$250,000	D	\$600,000	D			
2009:	\$387,000		\$600,000				\$987,000
6/29/2010	\$350,000	D	\$400,000	D			
11/9/2010					\$100,000	D	
2010:	\$350,000		\$400,000		\$100,000		\$850,000

Grand TOTALS	\$1,267,000 KMA	\$1,433,000 Goldfarb	\$100,000 KNN	\$2,800,000
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* Key:
 F: "Feasibility" Study
 T: Term Sheet
 D: Disposition and Development Agreement

TOTAL we've paid out
in RDA CASH
since April, 2007!