

**REGULAR MEETING OF
BELMONT REDEVELOPMENT AGENCY
Tuesday, October 14, 2008 7:30 PM
CITY COUNCIL CHAMBERS, ONE TWIN PINES LANE**

CALL TO ORDER 8:12 P.M.

ROLL CALL

Directors Present: Braunstein, Dickenson, Feierbach, Wozniak, Lieberman (via teleconference, Marriott Wardman Park Hotel, 2660 Woodley Road, Washington, DC)

Directors Absent: None

Staff Present: Executive Director Crist, Finance Director Fil, Community Development Director de Melo, Agency Attorney Zafferano, Special Counsel Lee Rosenthal, City Treasurer Violet, Agency Secretary Cook

CONSENT CALENDAR

Approval of Minutes of Regular Meeting of September 9, 2008 and Special Meeting of September 23, 2008

ACTION: On a motion by Director Feierbach, seconded by Director Wozniak, the Consent Agenda was unanimously approved by a roll call vote.

ADDITIONAL BUSINESS

Resolution Approving Assemblage of Parcels in the Los Costanos Community Project Area to be Developed by a Master Developer (Firehouse Square Project)

Finance Director Fil described Firehouse Square. He noted that the proposed action this evening would assemble the parcels for future redevelopment. He outlined the Request for Proposal (RFP) process.

Special Counsel Rosenthal stated that the RFP process is required by the Redevelopment Agency.

Finance Director Fil clarified that this process is similar to the one utilized for the Shoreway project site. It is a lengthy process, and the goal is to achieve the vision for the site.

Annie Bailey, property owner, stated she has owned the building for many years and pays low property taxes and low insurance. She requested additional information regarding how this process will affect her property. She wants to be able to maintain her low property tax.

Finance Director Fil described the RFP process.

Special Counsel Rosenthal explained that the Redevelopment Agency currently does not have the power of eminent domain. The law provides the maintenance of pre-Proposition 13 tax rates and no payment of capital gains if monies are reinvested. He further stated that property owners have the option to participate or to sell their properties to the master developer.

Kaveh Abbaszadeh, Iron Gate Restaurant, expressed concerns regarding business equity if the Iron Gate property were sold. He also expressed concerns regarding how the proposed water feature would affect the Iron Gate building, including potential loss of parking. He wanted additional information regarding rights of the property owner when negotiating with the master developer.

Director Dickenson stated it is important to maintain an open dialog regarding this project, and tonight's meeting is part of the public process. There is a need to continue with outreach.

Finance Director Fil clarified that the process is just beginning, and the architectural rendering of Firehouse Square is just conceptual. He acknowledged that these were good issues that are being raised.

Dimitrios Papaconstantinou, Iron Gate Restaurant, expressed concern regarding a future lawsuit by a potential new owner of the restaurant, should he decide to sell.

Special Counsel Rosenthal clarified that there would be nothing to prevent the property from being sold, and any negotiations by the Agency or with a master developer could be done with the new owner. He noted that even if the Redevelopment Agency had the power of eminent domain, which it does not, compensation would have to be made at fair market value.

Munish Manrao, property owner, stated that disclosures regarding the City's proposed plans would need to be made to potential buyers of the property. He requested information regarding how businesses would be considered by a master developer.

Special Counsel Rosenthal explained that tenants are entitled to relocation assistance, if necessary.

Al Gordon, property owner, stated that his tenants need El Camino Real frontage. He stated that previous relocation issues during the grade separation project were problematic.

Finance Director Fil stated that the City would utilize the services of a relocation firm.

Annie Bailey stated that if any of the Council members owned property in this area, they would not be recommending this action.

Director Feierbach responded that they would not be able to participate in this discussion if they owned property affected by this project.

Director Wozniak stated that opinions and concerns expressed are important to the process. She noted this will be a long and slow process. The final project should benefit all.

ACTION: On a motion by Director Feierbach, seconded by Director Braunstein, Resolution 483 Approving Assemblage of Parcels in the Los Costanos Community Project Area to be developed by a Master Developer (Firehouse Square Project) was unanimously approved by a roll call vote.

Chair Lieberman stated that due to issues with the telephone connection, he had difficulty hearing all of the comments expressed, but he will listen to the archived meeting video at a future time.

ADJOURNMENT at this time, being 8:45 P.M.

Meeting audio-recorded and videotaped
Audio Recording 708

Terri Cook
Agency Secretary

DRAFT