

**SPECIAL MEETING MINUTES
OVERSIGHT BOARD – SUCCESSOR AGENCY TO THE
SAN JOSE REDEVELOPMENT AGENCY**

SAN JOSE, CALIFORNIA

THURSDAY, MAY 22, 2014

The Oversight Board of the Successor Agency to the Redevelopment Agency of the City of San José convened at 9:00 a.m. in the Council Chambers at San Jose City Hall.

1. Call to Order and Roll Call

9:00 a.m.- Call to Order in Council Chambers

BOARD MEMBERS PRESENT

Tony Estremera, Santa Clara Valley Water District (Chair)
Abraham Andrade, City of San José
John Guthrie, County of Santa Clara
David Snow, County of Santa Clara
Pierluigi Oliverio, City of San José
Ed Maduli, California Community Colleges
Manibel Medina, Santa Clara County Office of Education

ABSENT

Chuck Reed, City of San José
Micaela Ochoa, Santa Clara County Office of Education

STAFF PRESENT

Norberto Duenas, representing Successor Agency Executive Officer
Richard Doyle, Successor Agency General Counsel
Richard Keit, Successor Agency Managing Director
Jackie Morales - Ferrand, Assistant Housing Director

2. Closed Session

None.

3. Adoption of Agenda

Adopted.

4. Approval of Minutes

Documents Filed: Oversight Board Minutes dated May 2, 2014.

Action: Upon motion by Board Member Guthrie, seconded by Board Member Maduli, and carried unanimously, the Minutes of May 2, 2014 were approved. (5-0-0-2. Abstain: Medina, Snow.)

5. Consent Calendar

None.

6. Items Scheduled for Action/Discussion

6.1 Review and Discussion of the Request for Qualifications for Conflicts Counsel and Selection of an Evaluation Panel by the Oversight Board

Documents Filed: (1) Memorandum from Richard Doyle, Successor Agency General Counsel, dated May 16, 2014, recommending review and discussion of the Request for Qualifications for conflicts counsel and adoption of a resolution selecting an evaluation panel. (2) City of San José's Notice of Motion and Motion to Continue Trial Date, currently set for August 8, 2014.

Successor Agency General Counsel Richard Doyle offered an overview of the preparation and release of a new Request for Qualifications (RFQ) for conflicts counsel and discussed continuance of the trial date in the Stand for San José matter, stating the recommendation to the Court would be to continue the trial date to November 7, 2014. He responded to questions and offered to provide links, reports and correspondence in communications from the Court as requested by the Board.

Senior Deputy City Attorney Tom Murtha offered information on the Request for Proposals (RFP) process.

Motion: Board Member Guthrie moved approval of adoption of the resolution allowing the preparation and release of a new Request for Qualifications (RFQ) for a conflicts counsel and selection of a subcommittee to act as the evaluation panel to review and evaluate the responses to the Request for Qualifications (RFQ). Board Member Maduli seconded the motion.

6.1 (Cont'd.)

Richard Doyle, Successor Agency General Counsel suggested he will contact the subcommittee members to coordinate a meeting.

Action: On a call for the question, the motion carried unanimously, and Oversight Board Resolution No. 2014-05-1065, entitled “A Resolution of the Oversight Board of the Successor Agency to the Redevelopment Agency of the City Of San Jose Selecting an Evaluation Panel to: (A) Review Submittals Received in Response to the Request For Qualifications for Conflicts Counsel and (B) Recommend a Candidate to the Oversight Board for its Consideration”, was adopted, with the evaluation panel selected as follows: (1) Tony Estremera, Santa Clara Valley Water District; (2) Debbie Cauble, County of Santa Clara; and (3) Maribel Medina, Santa Clara County Office of Education. (7-0.)

6.2 Approval of the Process and Selection of Companies to Sell Surplus Successor Agency Equipment

Documents Filed: Memorandum from Edward K. Shikada, Successor Agency Executive Officer, dated May 16, 2014, recommending Sale of Surplus Successor Agency Equipment.

Successor Agency Managing Director Richard A. Keit offered an overview of the proposal.

Action: Upon motion by Board Member Oliverio, seconded by Board Member Guthrie and carried unanimously, Oversight Board Resolution No. 2014-05-1066, entitled “A Resolution of the Oversight Board of the Successor Agency to the Redevelopment Agency of the City Of San José Approving: (A) A Process for the Sale of Surplus Successor Agency Owned Computer and Office Equipment and Specialized Laboratory Equipment Located in the Former San José Biocenter, and (B) the Selection of Companies to Conduct an Online Bid Process to Sell Such Equipment”, was adopted. (7-0.)

6.3 Approval of an Assignment of Successor Agency Obligations Related to the Martin Luther King Library Escrow Account

Documents Filed: Memorandum from Edward K. Shikada, Successor Agency Executive Officer, dated May 16, 2014, recommending Approval of an Assignment Agreement related to the Expenditure of Restricted Funds for Capital Improvements to the Martin Luther King Library.

Successor Agency Managing Director Richard A. Keit, Senior Deputy City Attorney Tom Murtha and Chief Deputy General Counsel Patricia Deignan responded to questions from the Board.

6.3 (Cont'd.)

Discussion followed on the negotiation or an agreement with the University that may put some check and balance on funds, and Norberto Duenas, representing Successor Agency Executive Officer, added that in spirit of transparency, a memorandum could be supplied to Board on how the money is spent.

Action: Upon motion by Board Member Oliverio, seconded by Board Member Maduli and carried unanimously, Oversight Board Resolution No. 2014-05-1067, entitled “A Resolution of the Oversight Board of the Successor Agency to the Redevelopment Agency of the City Of San José Approving: Approving an Assignment Agreement Assigning to the City of San José the Successor Agency’s Right to Meet and Confer Regarding the Expenditure of Restricted Funds for Capital Improvements to the Martin Luther King Jr. Library as Provided Under the Original Development Agreement for the Library and Assigning to the City the Escrow Agreement and Joint Trust Fund Agreement Associated with the Martin Luther King Jr. Library Escrow Account”, was adopted. (7-0.)

6.4 Discussion of Housing Department Charges

Documents Filed: Memorandum from Edward K. Shikada, Successor Agency Executive Officer, dated May 16, 2014, recommending Accounting of Housing Department Charges to the Successor Agency Administrative Budget.

Assistant Director of Housing Jacky Morales-Ferrand provided an overview of Housing Department charges and responded to questions and concerns from the Board.

Action: No action required.

7. REPORTS and CORRESPONDENCE

7.1 Information Memorandum regarding the Fire at 645 Park Avenue (former KNTV Building)

Documents Filed: Memorandum from Edward K. Shikada, Successor Agency Executive Officer, dated May 16, 2014, providing the KNTV Building fire update.

Successor Agency Managing Director Richard A. Keit responded to questions from the Board. Board Member Snow requested that more information be provided on the insurance held on properties owned by the Successor Agency.

Action: No action required.

REPORTS AND CORRESPONDENCE (CONT'D.)

7.2 March 28, 2014, Letter from the Santa Clara County Controller-Treasurer to Managing Director regarding Prior Period Payments for all ROPS periods from ROPS I through ROPS 13-14A

Documents Filed: Letter from County of Santa Clara Controller-Treasurer, Irene Lui, dated March 28, 2014, regarding prior year payments for all ROPS periods.

Action: None required.

7.3 April 9, 2014, Letter from the Managing Director to the Department of Finance regarding Prior Period Payments for all ROPS periods from ROPS I through ROPS 13-14A

Documents Filed: Letter from Successor Agency Managing Director Richard A. Keit to Department of Finance Assistant Program Budget Manager, Justyn Howard, dated April 9, 2014, presenting questions regarding ROPS I – ROPS 13-14A.

Action: None required.

7.4 May 9, 2014, Letter from the Santa Clara Controller–Treasurer to the Managing Director regarding the Verification of Insufficiency of Funds for the period of July 1,2014 to December 31, 2014 (ROPS 14-15A)

Documents Filed: Letter from County of Santa Clara Director, Finance Agency, Emily Harrison, dated March 28, 2014, regarding verification of insufficiency of funds.

Action: None required.

8. Future Agenda Items

None.

9. Open Forum

None.

10. Adjournment

The Oversight Board of the Successor Agency to the Redevelopment Agency was adjourned at 9:34 a.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

ATTEST:
OVERSIGHT BOARD – SUCCESSOR AGENCY TO THE
SAN JOSE REDEVELOPMENT AGENCY
TONI J. TABER, CLERK OF THE BOARD

Ruth Krantz, Deputy Clerk of the Board

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