

# MILPITAS OVERSIGHT BOARD

TO THE CITY OF MILPITAS ACTING AS THE RDA SUCCESSOR AGENCY

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455 EAST CALAVERAS BOULEVARD, MILPITAS, CA 95035-5479  
GENERAL INFORMATION: 408-586-3000 [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov)

## MILPITAS OVERSIGHT BOARD MEETING

Milpitas City Hall, Committee Room  
455 E. Calaveras Blvd., Milpitas, CA

### MEMBERS:

*Mike Mendizabal, Chairman*  
*Armando Gomez*  
*Marsha Grilli*  
*Emma Karlen*  
*Bruce Knopf*  
*Michael Murdter*  
*Glen Williams*

### ALTERNATES:

*Felix Reliford*  
*Phuong Le*  
*Jane Corpus Takahashi*  
*John Guthrie*  
*Mike McInerny*  
*Alan Minato*

## Minutes of the May 13, 2013, Meeting

### **I. CALL TO ORDER, ROLL CALL AND PLEDGE OF ALLEGIANCE**

Chair Mendizabal called the meeting to order at 4:00 pm.

#### **ROLL CALL**

**MEMBERS PRESENT:** Mike Mendizabal, Marsha Grilli, Emma Karlan,  
Bruce Knopf, Mike Murdter, Felix Reliford, & Glen Williams

**MEMBERS ABSENT:** Armando Gomez

### **II. PUBLIC FORUM** None.

### **III. APPROVAL OF MEETING MINUTES FOR FEBRUARY 25, 2013, AND FEBRUARY 28, 2013**

Moved by Mr. Knopf and seconded by Mr. Glen Williams, the draft minutes from February 25, 2013, and February 28, 2013, meetings were approved unanimously.

### **IV. APPROVAL OF AGENDA**

Moved by Mr. Murdter and seconded by Mr. Knopf, with suggestion that **OLD BUSINESS** be heard before **NEW BUSINESS** on the agenda, was approved unanimously.

### **V. OLD BUSINESS**

#### **A. Receive Update on Status of Payment for Oversight Board's Administrative Expenses, including Administrative Support and Legal Services**

Ms. Gore indicated that as reflected in the staff report, no payments have been received as of the May 13, 2013, meeting.

Mr. Knopf asked if there are still outstanding legal bills, to which Ms. Gore replied yes, adding that the last payment received for October/November 2012 invoices was made in February, leaving December 2012 along with January and February bills unpaid.

Staff does not recommend that the Oversight Board take any action on this item at this time. The Successor Agency will receive its administrative cost allowance for the period of July 1, 2013, through December 31, 2013, in June 2013. It is the hope the outstanding invoices will be paid at that time.

Mr. Murdter asked what the unpaid balance was, to which Ms. Gore indicated the balance is approximately \$37,000.

## **VI. NEW BUSINESS**

### **A. Elect Chair and Vice-Chair**

Pursuant to Section 200 of the Oversight Boards adopted Rules and Regulations state:

“The Board shall, in regular session following the first day of March of every year, elect from its members a Chair and Vice-Chair. The term of office shall be one (1) year.”

Ms. Gore conducted the election and opened the floor for nominations.

Mr. Knopf nominated Mike Mendizabal as Chair, which was seconded by Mr. Murdter.

Ms. Karlen nominated Marsha Grilli as Chair, which was seconded by Mr. Reliford.

A vote was taken on electing Mike Mendizabal as Chair, with Grilli, Knopf, Murdter & Williams in approval.

A vote was taken on electing Marsha Grilli as Chair, with Karlen and Reliford in approval.

Mr. Knopf then nominated Marsha Grilli as Vice-Chair, which was seconded by Mr. Williams.

A vote was taken on electing Marsha Grilli as Vice-Chair, with all board members in approval.

New Chair for 2013/14 will be Mike Mendizabal.

New Vice-Chair for 2013/14 will be Marsha Grilli.

### **B. Discussion Regarding Appointments to Oversight Board**

Ms. Gore presented the staff report. At the February 25, 2013, meeting, Milpitas City Manager Tom Williams inquired as to who is the County's public member. In response to this question, staff confirmed that Mr. Murdter is the County's public member.

As of the January 2013 meeting, Mr. Toby Wong resigned and was replaced by his alternate, Mr. Glen Williams.

At the February 25, 2013 meeting, Mr. Mike McNerny and Mr. Alan Minato were introduced as County alternates.

Because the Oversight Board does not appoint its own members, this is an informational item only as the Oversight Board has no power to modify its appointments.

### **C. Workshop Regarding the Disposition and Conveyance of Specified Governmental Use Building and Public Improvements to the City of Milpitas for Continued Governmental Use, Operation, and Maintenance.**

Chair Mendizabal noted that the Successor Agency made a request that the Oversight Board begin reviewing properties. At the last meeting, the Oversight Board was directed to contact Mr. Ogaz should they have any questions about a specific

property. Mr. Ogaz indicated that he had not received any requests for additional information however, he is prepared to proceed if the board so desires.

Mr. Knopf asked about the process and indicated that it was his understanding that the Board cannot take any action on any of the properties as there needs to be a Certificate of Completion in place. Ms. Gore indicating that there is a provision in the Dissolution Law that prior to approving a long range property management plan, a Successor Agency must have received a Certificate of Completion; however, it is not a requirement before transferring property pursuant to the governmental use provision within the Dissolution Law. Ms. Gore also indicated that this item has not been noticed to allow the Oversight Board to transfer property at this time, as it is a workshop only.

After a lengthy discussion between the Oversight Board, City staff and legal counsel regarding the properties in question, it was determined that the workshop should be put off until the next meeting.

Mr. Williams indicated that he felt it was necessary to understand the history of each property and whether any agreements were in place regarding the use or payments for each property. Mr. Murdter agreed, requesting that the City provide the Board all the information and answers to the questions that each of the board members asked today. Successor Agency staff requested direction from the full Board regarding the necessary level of information to be presented on each property. To provide this direction, Mr. Williams made a motion that the Oversight Board request that the Successor Agency provide information on the history of the properties that the City has proposed for transfer. The motion was seconded by Mr. Murdter, and passed with the following vote:

Ayes: Murdter, Williams, Knopf, Mendizabal

Noes: Reliford, Karlen and Grilli

Mr. Ogaz indicated that he made a list of the requested information and understands what the Board is looking for. Mr. Ogaz will forward a list of the CIP information to the Board electronically.

#### **D. Update on Department of Finances Determination on the Non-Housing Due Diligence**

Ms. Gore provided the update, indicating that DOF approved the DDR as approved by the Oversight Board and transmitted at the end of February 2013. There is approximately \$38,000,000 to be transmitted.

#### **VII. AGENDA ITEMS FOR NEXT MEETING**

Workshop Regarding the Disposition and Conveyance of Specified Governmental Use Building and Public Improvements to the City of Milpitas for Continued Governmental Use, Operation, and Maintenance.

ROPS review for January 1, 2014, through June 30, 2014.

Receive Update on Status of Payment for Oversight Board's Administrative Expenses, including Administrative Support and Legal Services.

#### **VIII. SET NEXT MEETING DATE**

The next meeting will be Monday, August 26, 2013, at 4:00 p.m.

**IX. CLOSED SESSION – ANTICIPATED LITIGATION: CONFERENCE WITH LEGAL COUNSEL-POTENTIAL LITIGATION (Gov. Code section 54956.9 (c).)**

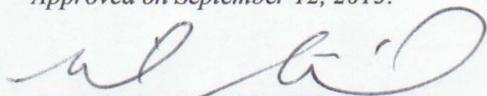
It was determined there will be no closed session.

**ADJOURNMENT**

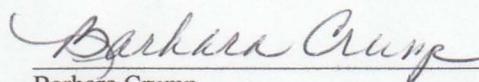
Moved by Mr. Murdter and seconded by Mr. Knopf the meeting was adjourned at 5:06 pm which passed unanimously.

*Meeting minutes drafted and submitted by  
Barbara Crump, Board Secretary*

*Approved on September 12, 2013:*



Michael Mendizabal  
Oversight Board Chair



Barbara Crump  
Oversight Board Secretary