

# 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:

*Maribel Medina, Chair*  
*Michael Mendizabal*  
*Armando Gomez*  
*Emma Karlen*  
*Bruce Knopf*  
*Mike McInerney*  
*Glen Williams*

### ALTERNATES:

*Nimrat Johal*  
  
*Felix Reliford*  
*Jane Corpus Takahashi*  
  
*Michael Murdter*  
*Alan Minato*

## Minutes of the November 3, 2014, Meeting

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

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

### **ROLL CALL**

**MEMBERS PRESENT:** Maribel Medina, Emma Karlen, Bruce Knopf, Mike McInerney, Mike Mendizabal, Felix Reliford and Glen Williams

**MEMBERS ABSENT:** None

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

### **III. APPROVAL OF AGENDA**

Moved by Mr. Knopf and seconded by Mr. Williams, to approve the agenda. The motion passed unanimously.

### **IV. APPROVAL OF MINUTES FOR September 18, 2014 meeting.**

Moved by Mr. Knopf and seconded by Mr. McInerney, to approve the minutes. The motion passed unanimously.

### **V. OLD BUSINESS**

**A. Receive Update on Communications with DOF Regarding ROPS 14-15B, and Adopt a Resolution directing Successor Agency Staff to Obtain Approval of Future Revised ROPS from Oversight Board Counsel Prior to Submission to DOF**

counsel for approval prior to submission to the Department of Finance (DOF), and direct Oversight Board counsel to send a letter to DOF reminding DOF that Oversight Board counsel was designated as the official contact for DOF.

After a brief discussion it was moved by Mr. Knopf and seconded by Mr. Williams to approve the resolution with the following amendments: Strike the word "REVISED" on the third line of the title of the resolution and revise the NOW, THEREFORE, BE IT RESOLVED, to reflect that the Oversight Board directs Successor Agency staff to obtain approval of future final versions of ROPS from Oversight Board counsel consistent with Oversight Board action prior to submitting such ROPS to DOF through the RAD-app. The revised resolution was unanimously approved.

#### **B. Direct successor Agency Staff to Pay Invoices for Oversight Board Administrative and Legal Services**

Ms. Gore presented the staff report directing Successor Agency staff to pay outstanding invoices for the Oversight Board's Administrative and Legal Services or provide a legal justification for refusing to carry out this administrative task. Ms. Gore stated that the invoices at issue have been approved for payment by the Oversight Board Chair, who received a detailed legal invoice, and forwarded a summary sheet to the Successor Agency for payment. The Chair instructed staff that information requested by Successor Agency is protected under Attorney/Client Privilege, and disclosure would waive that privilege.

Ms. Karlen indicated the County clerk invoices were not received until October 20, 2014, and that the Successor Agency has no problem paying the invoices. As to the invoices for legal services, Ms. Karlen also said the City is subject to audits by the County of Santa Clara and State Department of Finance every six (6) months and therefore needs more detail including dates of service. Mr. Tom Williams added that the previous Chair's method of forwarding invoices was acceptable and that he cannot approve a payment without back-up. Mr. Ogaz added that they are not asking for specific detail other than a date and type of service.

Glen Williams suggested including a summary page that the Successor Agency sees on a statement that includes the date range, total hours, and billing rate.

Moved by Mr. Knopf and seconded by Mr. Williams to adopt the resolution with the following amendments; revise the BE IT FURTHER RESOLVED, to strike the final clause, and to add language clarifying that the summaries will include total billable hours, billing rates, and dates of service." The resolution was unanimously approved.

### **VI. NEW BUSINESS**

#### **A. Review and Approve Long Range Property Management Plan**

Ms. Gore presented the staff report recommending that the Oversight Board receive an update on the progress of the Long Range Property Management Plan (LRPMP), and review and approved the proposed LRPMP if a draft is available.

Discussion: Mr. Ogaz said the City and the County have exchanged a draft LRPMP. Discussion continues and hopefully they will be able to present a plan at the next Oversight Board meeting. Chair Medina asked if the first week in December would be possible to have a draft of the LRPMP. It was agreed that the next meeting will be Tuesday, December 2, 2014, at 3:00 p.m., to allow the LRPMP to be adopted prior to the statutory deadline.

#### **B. Approve Selection of Property Appraiser(s) and Authorize Appointed Subcommittee to Approve Contracts**

Mr. Glen Williams presented the staff report and recommend that the Oversight Board approve the subcommittee's recommendation to approve all three of the responding property appraisers. Mr. Williams explained that the subcommittee would contact all 3 firms and inform them that they have met the requirements and would likely divide the properties among the appraisers to expedite the appraisal process.

After a brief discussion, it was moved by Mr. Williams and seconded by Ms. Medina to authorize the committee to negotiate with all three (3) firms (Hulberg & Associates, now known as Valbridge, CBRE and Colliers) and select the best qualified to complete each of the individual assignments. The resolution was unanimously approved.



**C. Authorize Successor Agency Staff to Contract with Necessary Consultants for 2003 Tax Allocation Bond Refunding, Including Bond Counsel, Financial Advisory Services, and Independent Fiscal Consultant**

Ms. Karlen presented the staff report recommending that the Oversight Board authorize Successor Agency staff to contract with Fieldman Rolapp and Associates for Financial Advisory Services, Fraser & Associates for Independent Fiscal Consultants Services, and with Jones Hall for Bond Counsel and Disclosure Counsel Services for the issuance of tax allocation refunding bonds.

After a discussion on the selection process it was moved by Mr. Mendizabal and seconded by Mr. Knopf to authorize the Successor Agency to contract with the three recommended consultants. The resolution was unanimously approved.

**D. Consider Request to Approve Fixed Fee for City Staff Services Related to 2003 Tax Allocation Bond Refunding**

Ms. Karlen presented the staff report recommending the Oversight Board consider Successor Agency staff's request that the Oversight Board approve a \$25,000 fixed fee for City staff services related to the proposed 2003 Tax Allocation Bond Refunding.

Moved by Mr. Williams and seconded by Mr. Knopf to approve the resolution approving a fixed fee for City Staff Services. The resolution was unanimously approved.

**VII. SET NEXT MEETING DATE**

The next meeting will be Tuesday, December 2, 2014, at 3:00 p.m.

**VIII. MEETING ADJOURNMENT**

Chair Medina adjourned the meeting at 4:51 p.m.

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

*Approved on December 2, 2014:*

  
Maribel Medina  
Oversight Board Chair

  
Barbara Crump  
Oversight Board Secretary