

RESOLUTION NO. 29

**RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF
THE FORMER MILPITAS REDEVELOPMENT AGENCY
EXTENDING ITS CONTRACT WITH SANTA CLARA COUNTY FOR
ADMINISTRATIVE SUPPORT SERVICES**

WHEREAS, the California State Legislature enacted Assembly Bill x1 26 to dissolve redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code section 33000 et seq.), as amended by Assembly Bill 1484, Statutes of 2012, enacted June 27, 2012 (the "Dissolution Law"); and

WHEREAS, pursuant to Health and Safety Code section 34177, the Oversight Board (the "Oversight Board") of the Successor Agency of the former Milpitas Redevelopment Agency (the "Successor Agency") shall direct the expeditious wind down the affairs of the redevelopment agency consistent with its fiduciary responsibilities to holders of enforceable obligations and the taxing entities; and

WHEREAS, pursuant to Health and Safety Code sections 34179(n)-(o), the Oversight Board may, in furtherance of its duties under the Dissolution Law, enter into a contract to procure administrative support;

WHEREAS, an MOU for administrative support services between the Oversight Board and the County of Santa Clara was executed on December 18, 2012; and

WHEREAS, the MOU for administrative support is scheduled to expire on December 31, 2013; and

WHEREAS, to continue receiving administrative support through the County, and to avoid the administrative expenses associated with amending the MOU annually, the Oversight Board wishes to amend the MOU to extend the term of the agreement through June 30, 2016, and to increase the not-to-exceed amount.

NOW THEREFORE, BE IT RESOLVED that Amendment No. 1 to the MOU between the Oversight Board and the County of Santa Clara for administrative support services, is hereby amended in substantially the same form as attached hereto.

PASSED AND ADOPTED this 12th day of September, 2013, by the following vote:

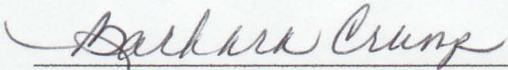
AYES: (6) Mendizabal, Grilli, Karlen, Knopf, McInerney, Williams

NOES: (0)

ABSENT: (1) Gomez

ABSTAIN: (0)

ATTEST:



Barbara Crump, Oversight Board Secretary

APPROVED:



Mike Mendizabal, Chair

**FIRST AMENDMENT TO
ADMINISTRATIVE SERVICES AGREEMENT
BETWEEN THE COUNTY OF SANTA CLARA
AND THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
OF THE FORMER MILPITAS REDEVELOPMENT AGENCY**

THIS FIRST AMENDMENT (“Amendment”) is made and entered into as of _____ 2013, by and between the County of Santa Clara, a political subdivision of the State of California (“County”), and the Oversight Board of the Successor Agency of the Former Milpitas Redevelopment Agency, a local entity established under Health and Safety Code section 34179 (“Oversight Board”).

WHEREAS, the County and the Oversight Board entered into an Administrative Services Agreement dated November 12, 2012 (“Agreement”), for administrative support services related to the dissolution of the former Milpitas Redevelopment Agency; and

WHEREAS, the parties desire to amend the Agreement to extend the term and increase the maximum compensation as provided herein.

NOW THEREFORE, for good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Section 2 of the Agreement shall be replaced in its entirety by the following:

This Agreement is effective as of November 14, 2012, and will continue in full force and effect until June 30, 2016, unless terminated earlier in accordance with Section 4.

2. The first paragraph of Section 3 of the Agreement shall be replaced in its entirety by the following:

Unless otherwise mutually agreed by the parties, the hourly rate paid to County for services outlined in Exhibit A, Scope of Work, items one through three shall not exceed \$40 per hour, which shall not include expenses and costs incurred. Beginning January 1, 2014, the hourly rate is subject to increase annually as agreed by the County and Oversight Board. The hourly rate for additional services provided pursuant to item four of the Scope of Work shall be mutually agreed upon by the parties. The Oversight Board shall reimburse the County for all expenses and costs incurred. The County shall not charge the Oversight Board for indirect costs or general overhead. The maximum amount of services provided and expenses and costs reimbursed under this Agreement shall not exceed \$75,000.

3. Except as modified by the Amendment, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, County and Oversight Board have caused this Agreement to be duly executed.

COUNTY OF SANTA CLARA

OVERSIGHT BOARD

By: _____
Ken Yeager, President
Board of Supervisors
Date:

By: _____
_____, Chair
Date:

Signed and Certified that the copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.

ATTEST

By: _____
Lynn Regadanz, Clerk
Board of Supervisors
Date:

APPROVED AS TO FORM AND LEGALITY

By: _____
E. Ray Ruiz
Deputy County Counsel