



MEET AND CONFER REQUEST FORM

Instructions: Please fill out this form in its entirety to initiate a Meet and Confer session. Additional supporting documents may be included with the submittal of this form—as justification for the disputed item(s). Upon completion, email a PDF version of this document (including any attachments) to:

Redevelopment_Administration@dof.ca.gov

The subject line should state “[Agency Name] Request to Meet and Confer”. Upon receipt and determination that the request is valid and complete, the Department of Finance (Finance) will contact the requesting agency within ten business days to schedule a date and time for the Meet and Confer session.

To be valid, all Meet and Confer requests must be specifically related to a determination made by Finance and submitted within the required statutory time frame. The requirements are as follows:

- **Housing Asset Transfer** Meet and Confer requests must be made within five business days of the date of Finance’s determination letter per HSC Section 34176 (a) (2).
- **Due Diligence Review** Meet and Confer requests must be made within five business days of the date of Finance’s determination letter, and no later than **November 16, 2012** for the Low and Moderate Income Housing Fund due diligence review per HSC Section 34179.6 (e).
- **Recognized Obligation Payment Schedule (ROPS)** Meet and Confer requests must be made within five business days of the date of Finance’s determination letter per HSC Section 34177 (m).

Agencies should become familiar with the Meet and Confer Guidelines located on Finance’s website. Failure to follow these guidelines could result in termination of the Meet and Confer session. Questions related to the Meet and Confer process should be directed to Finance’s Dispute Resolution Coordinator at (916) 445-1546 or by email to Redevelopment_Administration@dof.ca.gov.

AGENCY (SELECT ONE):

☒ Successor Agency ☐ Housing Entity

AGENCY NAME: Successor Agency to the Santa Clara Redevelopment Agency

TYPE OF MEET AND CONFER REQUESTED (SELECT ONE):

☐ Housing Assets Transfers ☐ Due Diligence Reviews ☒ ROPS Period 13-14A

DATE OF FINANCE’S DETERMINATION LETTER: 4-13-2013

REQUESTED FORMAT OF MEET AND CONFER SESSION (SELECT ONE):

☐ Meeting at Finance ☒ Conference Call

DETAIL OF REQUEST

A. Summary of Disputed Issue(s) *(Must be specific.)*

Item No. 14 - defense of lawsuit filed by the County in the amount of \$500,000.

B. Background/History *(Provide relevant background/history, if applicable.)*

The Successor Agency, shortly before bringing ROPS 13-14A to the Oversight Board for approval was informed that the County of Santa Clara had filed a lawsuit naming the Successor Agency as well as the City of Santa Clara and other parties related to the assets of the former Santa Clara Redevelopment Agency. At the time of completion of the ROPS 13-14A, the Successor Agency had not been served with the lawsuit but was informed by the County that it intended to serve them eminently. In order to ensure that the Successor Agency would have sufficient funds to defend the lawsuit, the Successor Agency placed an item on the ROPS to pay for Successor Agency litigations expenses related to the lawsuit. The Successor Agency referred to existing contracts between the City and the law firms that might be used to defend the Successor Agency although the Successor Agency's intent as made clear at the Oversight Board meeting was for the ROPS expenditures to only cover the legal costs associated with the Successor Agency's defense of the lawsuit.

The DOF determination letter recognizes that Health and Safety Code Section 34177.3(b) allows the successor agency to create enforceable obligations to conduct the work of winding down the redevelopment agency, including acquiring legal counsel but then goes on to state that it is unclear that the funds requested will be needed in the upcoming ROPS period since the lawsuit had not been served. However, it should be noted that the Successor Agency was served on April 9, 2013. the Successor Agency now must file an answer and will begin incurring litigation costs immediately with the bulk of those costs occurring in the ROPS 13-14A period. Given that the DOF recognizes that litigation costs are enforceable obligations and that the Successor Agency can create enforceable obligations, this item must be recognized on ROPS 13-14A as an enforceable obligation.

C. Justification *(Provide additional attachments to this form, as necessary.)*

See Background/History section above.

Agency Contact Information

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Date: 4-19-13

Date: 4-19-13

Department of Finance Local Government Unit Use OnlyREQUEST TO MEET AND CONFER DATE: ☐ APPROVED ☐ DENIED

REQUEST APPROVED/DENIED BY: _____ DATE: _____

MEET AND CONFER DATE/TIME/LOCATION: _____

MEET AND CONFER SESSION CONFIRMED: ☐ YES DATE CONFIRMED: _____DENIAL NOTICE PROVIDED: ☐ YES DATE AGENCY NOTIFIED: _____