

MINUTES OF THE CITY OF SANTA CLARA OVERSIGHT BOARD FOR SUCCESSOR AGENCY TO THE CITY OF SANTA CLARA REDEVELOPMENT AGENCY FOR A SPECIAL MEETING HELD ON FRIDAY, AUGUST 24, 2012

Vice-Chair Maduli called the Special Meeting of the Oversight Board for Successor Agency to the City of Santa Clara Redevelopment Agency to order at 2:02 pm, on the above-mentioned date in the City Hall Council Chambers.

Present: Mayor of the City of Santa Clara appointees: Gary Ameling, Director of Finance and Jamie L. Matthews, Mayor; Santa Clara County Board of Supervisors appointees: Alan Minato, Division Manager, Finance Agency, County of Santa Clara and Jai Singh, County of Santa Clara/Division Manager (Controller-Treasurer's Office); Santa Clara County Board of Education appointee: Bobbie Plough, Santa Clara Unified School District Superintendent; and Chancellor of the California Community College District appointee: Edralin Maduli, West Valley-Mission Community College District, Vice Chancellor of Administrative Services.

Absent: Santa Clara Valley Water District (SCVWD) appointee: Don Gage, Board Member.

City staff present: Ronald E. Garratt, Interim City Manager/Successor Agency Executive Officer; Alan Kurotori, Assistant City Manager; Tamera Haas, Assistant Director of Finance; Karen Tiedemann, Legal Counsel, Goldfarb & Lipman, LLC; Hilda Cantú Montoy, Outside Legal Counsel to the Oversight Board; and Jennifer Yamaguma, Assistant City Clerk/Successor Agency Clerk.

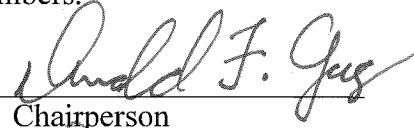
The Board proceeded to consider the adoption of a Resolution approving the **Recognized Obligation Payment Schedule (ROPS)** and an **Administrative Budget** for the period of **January 1, 2013 – June 30, 2013**, making related findings and declarations and taking related actions in connection therewith. Vice-Chair Maduli noted that a letter had been received by the County of Santa Clara dated August 21, 2012, which included a review of all items and funding sources and outlined objections to the Settlement Agreement and Judgment relating to 2011 Cooperation Agreement (line 8); Affordable Housing Promissory Note (line 9); Franklin Mall Loan Agreement (line 10); City ROPS Loan (line 11); and Miscellaneous Bond Costs (prior line 7). James Williams, Special Assistant to the County Executive, addressed the Board with further information regarding the Auditor-Controller's objections. Oversight Board questions were then answered by Mr. Williams and Karen Tiedemann, Legal Counsel, Goldfarb & Lipman, LLC. Ms. Tiedemann then made further clarifying comments. Hilda Cantú Montoy, Outside Legal Counsel to the Oversight Board, then answered further Board questions and also made clarifying comments. A Board discussion followed. Mr. Williams, Ms. Tiedemann, Ms. Montoy and the Interim City Manager/Successor Agency Executive Officer answered Board questions with regard to the interpretation of the legislation and ROPS processes. **MOTION** was made by Matthews, seconded and failed with Minato, Plough and Singh and Vice-Chair Maduli dissenting, that the Board **approve the inclusion of the Affordable Housing Promissory Note and the Franklin Mall Loan Agreement** as enforceable obligations as noted on the Recognized Obligation Payment Schedule for the period of January 1, 2013 through June 30, 2013 (ROPS III) . **MOTION** was then made by Singh, seconded and unanimously carried, that the Board **eliminate the Affordable Housing Promissory Note and the Franklin Mall Loan Agreement** as enforceable obligations

on the Recognized Obligation Payment Schedule for the period of January 1, 2013 through June 30, 2013 (**ROPS III**) and **approve** listing the Affordable Housing Promissory Note and the Franklin Mall Loan Agreement as an addenda to the ROPS III. **MOTION** was made by Matthews, seconded and carried with Minato and Singh dissenting, that the Board **approve** the inclusion of the **City ROPS Loan** as an enforceable obligation as noted on the Recognized Obligation Payment Schedule for the period of January 1, 2013 through June 30, 2013 (ROPS III). **MOTION** was made by Singh, seconded and unanimously carried, that the Board **approve** the inclusion of **Miscellaneous Bond Costs** as noted on the Recognized Obligation Payment Schedule for the period of January 1, 2012 through June 30, 2012 (ROPS I) as an enforceable obligation on the Recognized Obligation Payment Schedule for the period of January 1, 2013 through June 30, 2013 (**ROPS III**). The Board proceeded to consider the Administrative Budget for the period of January 1, 2013 – June 30, 2013. Alan Kurotori, Assistant City Manager, reviewed the provided proposed budget. Board comments were made and questions were answered by the Interim City Manager/Executive Officer and the Director of Finance. The Interim City Manager/Executive Officer then answered questions raised by Lizanne Reynolds, Deputy County Council. Further Board questions were then answered by Ms. Tiedemann, Mr. Williams, the Director of Finance and Ms. Montoy. **MOTION** was made by Singh, seconded and unanimously carried, that the Board **adopt** **Resolution 2012-4** entitled, “A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE CITY OF SANTA CLARA REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JANUARY THROUGH JUNE 2013, MAKING RELATED FINDINGS AND DECLARATIONS AND TAKING RELATED ACTIONS IN CONNECTION THEREWITH” which approves the **Recognized Obligation Schedule for the period of January 1, 2013 through June 30, 2013 (ROPS III)**, as amended by the Board’s actions to eliminate the Affordable Housing Promissory Note and the Franklin Mall Loan Agreement as recognized obligations on the Recognized Obligation Payment Schedule for the period of January 1, 2013 through June 30, 2013 (ROPS III) but to include Affordable Housing Promissory Note and the Franklin Mall Loan Agreement as an addenda to the ROPS III; the inclusion of the City ROPS Loan and the Miscellaneous Bond Costs; and the inclusion of the Administrative Cost Allowance at 3 percent, as prescribed by law. The Administrative Budget was deferred to a future meeting.

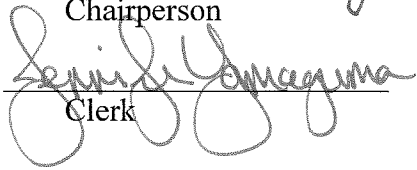
Under Public Presentations, James Rowen addressed the Board with comments regarding Public Records Act requests made of the County of Santa Clara.

The meeting was then adjourned at 3:12 pm to Friday, September 7, 2012 at 2:00 pm for the regular scheduled meeting in the City Hall Council Chambers.

APPROVE: _____


Chairperson

ATTEST: _____


Clerk