

OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE CITY OF TRACY
COMMUNITY DEVELOPMENT AGENCY

REGULAR MEETING MINUTES

Tuesday, April 2, 2013, 3:30 p.m.

City Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

1. CALL TO ORDER

Chair Sensibaugh called the meeting to order at 3:32 p.m.

2. ROLL CALL

Roll call found Board Members Borwick, Maciel, Thomas, and Chair Sensibaugh present; Board Members Khan and Puentes-Griffith absent.

3. ITEMS FROM THE AUDIENCE

None

4. APPROVE RESOLUTION FOR THE APPROVAL OF MINUTES

Chair Sensibaugh mentioned this is the first time he has seen a resolution necessary to approve minutes. Chair Sensibaugh questioned whether it was necessary and voiced concern that it may unnecessary work for staff.

Robert Harmon agreed and mentioned he was taking the most conservative approach and following the procedures from other Oversight Boards that approve all agency actions by resolution as indicated by the wording of the law. Mr. Harmon also stated he asked the City Attorney and it was affirmed that it may not be necessary to approve minutes by resolution.

Chair Sensibaugh agreed and mentioned it is his understanding the wording of the legislation may not have intended to include minutes approval. Chair Sensibaugh asked if the board agreed, minutes approval could be made by a motion or board order to make it easier on staff.

Vice Chair Maciel asked for clarification that two sets of minutes are being put forth for approval. Secretary Harb confirmed there are two sets of minutes for approval. The first set are minutes for the regular meeting on Tuesday, February 2, 2013 and the second set are the minutes for the special meeting on February 13, 2013.

It was moved by Board Member Maciel and seconded by Board Member Thomas to approve the February 2, 2013 and February 13, 2013 minutes by resolution. All board members in favor, resolution approved.

5. OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF TRACY APPROVING PREVIOUSLY APPROVED MEETING MINUTES OF THE OVERSIGHT BOARD

Vice Chair Maciel abstained from this item.

It was moved by Board Member Thomas and seconded by Board Member Miller to approve the previously approved meeting minutes by resolution. All board members in favor, resolution approved.

6. OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF TRACY APPROVING PRIOR RECOGNIZED OBLIGATION PAYMENT SCHEDULES (ROPS)

Mr. Harmon provided a staff reported to the board. Mr. Harmon explained that this item is to approve, through resolution, the previously approved ROPS. He mentioned the law was changed in 2012 in AB1484, which inserted one sentence that states all actions of the Oversight Board of the Successor Agency must be approved by resolution. When the previous two ROPS were approved, it was not by resolution. The Department of Finance now requires approval by resolution. The Department of Finance will no longer accept ROPS without resolution.

Chair Sensibaugh stated that the City of Stockton approves their ROPS by resolution.

Chair Sensibaugh asked if the form presented at the public meeting is the same as the form presented tonight.

Mr. Harmon stated there were no changes made to the previously approved form.

Chair Sensibaugh asked the board if all current board members previously participated in the approved of the prior two ROPS. Vice Chair Maciel stated he was not present at the first approval. Chair Sensibaugh stated each approval will be taken separately.

Board Member Maciel mentioned there is a misprint in the staff report and subsequent resolution.

Board Member Thomas motioned and Vice Chair Maciel seconded to approve resolution to as corrected. All board members in favor, resolution approved.

Chair Sensibaugh sought clarification on the need for Items from the Audience on the agenda twice. Board Member Maciel commented that he believes it to be a Brown Act requirement. Secretary Harb mentioned that the City Clerk's Office requested a correction to the agenda so that audience members were given two opportunities to address the board.

7. ITEMS FROM THE AUDIENCE

None

8. BOARD MEMBER ITEMS

Board Member Thomas stated since the Department of Finance is requesting resolutions for each action approved by the board, if there are any aspects of the minutes that impact the operation of the board to which the Department of Finance challenges, it may cause complications for the board if minutes were not recorded as approved by resolution.

Mr. Harmon stated there will be minimal work by staff to incorporate item approval by resolution. Mr. Harmon commented he will discuss with Counsel if it is possible to adopt a continuing resolution at the next meeting indicating any minutes fall under the continuing resolution. Chair Sensibaugh suggested a call to the State for clarification would be beneficial as well. Mr. Harmon agreed, and stated he will be talking to our assigned contact from the Department of Finance later in the afternoon.

Mr. Harmon mentioned it is his understanding that the Department of Finance is assembling a team that will work with all of the agencies in the county, giving continuity to the process.

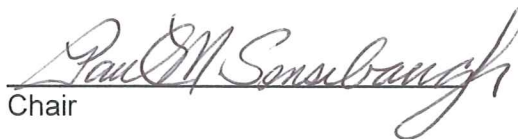
Chair Sensibaugh inquired when staff anticipated having the next meeting. In his response, Mr. Harmon stated he did not see the need to meet in the next couple of months. The Department of Finance conducted a comprehensive audit and therefore we do not anticipate any complications. At this time, we are waiting for direction from the State.

Chair Sensibaugh stated the board will adjourn to the next regular meeting, cancel as needed.

9. ADJOURNMENT

It was moved by Vice Chair Maciel and seconded by Board Member Thomas to adjourn.

Time 3:48 p.m.


Chair


Successor Agency Secretary