

**MINUTES  
OVERSIGHT BOARD – SUCCESSOR AGENCY TO THE  
SAN JOSE REDEVELOPMENT AGENCY**

**SAN JOSE, CALIFORNIA**

**THURSDAY, NOVEMBER 8, 2012**

The Oversight Board of the Successor Agency to the Redevelopment Agency of the City of San José convened at 9:04 a.m. in the Council Chambers at San Jose City Hall.

**1. Call to Order and Roll Call**

**9:04 a.m.- Call to Order in Council Chambers**

**BOARD MEMBERS PRESENT**

**Chuck Reed, City of San José  
Abe Andrade, City of San José  
Donald F. Gage, Santa Clara Valley Water District  
Rebecca Haggerty, County of Santa Clara  
Emily Harrison, County of Santa Clara  
Ed Maduli, California Community Colleges  
Micaela Ochoa, Santa Clara County Office of Education**

**STAFF PRESENT**

**Debra Figone, Successor Agency Executive Officer  
Richard Doyle, Successor Agency General Counsel  
Richard Keit, Successor Agency Managing Director  
Patty Deignan, Chief Deputy City Attorney  
Thom Murtha, Supervising Senior Associate Counsel**

Access the video, the agenda and related reports for this meeting by visiting the City's website at <http://www.sanjoseca.gov/clerk/agenda.asp> or <http://www.sanjoseca.gov/clerk/MeetingArchive.asp>. For information on any ordinance that is not hyperlinked to this document, please contact the Office of the City Clerk at (408) 535-1266.

## **2. Adoption of Agenda**

Approved.

## **3. Closed Session Report**

None.

## **4. Approval of Minutes**

Documents Filed: Oversight Board Minutes dated August 23, 2012 and October 11, 2012.

Action: The Minutes were approved. (6-0-0-1. Abstain: Ochoa.)

## **5. Consent Calendar**

1. Monthly Financial Statements (First Meeting of the Month) – None.
2. Audit Status – None.

## **6. Items Scheduled for Action/Discussion**

### **6.1 Changes to Successor Agency Board and Election of Vice Chair**

Adoption of a resolution:

- (a) Acknowledging the appointment of two new Oversight Board Members, Rebecca Haggerty and George Doorley, by the County Board of Supervisors
- (b) Election of a new Vice Chair to replace Board Member Kenneth Shelton

Documents Filed: (1) Memorandum from Executive Officer Debra Figone, dated November 2, 2012, regarding changes to Successor Agency Board Appointments and related action items. (2) Memorandum from Mayor Reed, dated October 26, 2012, providing recommendation of a Vice-Chair to replace Board Member Kenneth Shelton. (3) Letter from Board Member Kenneth Shelton, submitting his resignation as Vice Chair on the Successor Agency Oversight Board. (4) Draft Resolution for Item 6.1.

Action: [Resolution No. 2012-11-1028](#), entitled: “A Resolution of the Oversight Board of the Successor Agency to the Redevelopment Agency Acknowledging the Appointment of Two New Oversight Board Members, Rebecca Haggerty and George Doorley, by the County Board of Supervisors and the Election of a New Vice Chair to Replace Board Member Kenneth Shelton”, was adopted. (7-0.)

## **6.2 Solicitation of Real Property Assets**

Documents Filed: (1) Memorandum from Executive Officer Debra Figone, dated November 2, 2012, recommending adoption of a resolution for the solicitation and sale of real property assets. (2) Draft resolution for Item 6.2.

Gale Connor, Lead Attorney with Nossaman LLP, responded to questions from the Board, followed by a lengthy discussion. It was determined that staff would return to the Oversight Board on December 6, 2012 with results of the solicitation process and evidence of the fair market value of properties and to provide the Board the opportunity to reject any offer to purchase if determined that sale price for any properties are not within a range of fair market value.

Action: Upon motion by Board Member Gage, seconded by Board Member Maduli and carried unanimously, [Resolution No. 2012-10-1029](#), entitled “A Resolution of the Oversight Board of the Successor Agency to the Redevelopment Agency: (1) Approving the Solicitation for Offers to Purchase the Following Real Property Assets of the Successor Agency: East Santa Clara Street Development Site (193 East Santa Clara Street), Hoffman Via Monte Parcels (5647 Gallup Drive And 1711 Mesa Drive), and the Central Place Parking Garage (88 East San Fernando Street); (2) Authorizing the Sale of those Properties; and (3) Directing Successor Agency Staff to Return to the Oversight Board on December 6, 2012 With the Results of the Solicitation Process and Evidence of the Fair Market Value of Such Properties to Provide the Oversight Board with the Opportunity to Reject any Offer to Purchase if the Oversight Board Determines that the Sales Price for Any of the Solicitation Properties Is Not Within a Range of Fair Market Value “ was adopted. (7-0.)

## **7. Reports**

### **7.1 Closed Session Report – None.**

### **7.2 Report on Outstanding Audits and Reporting Requirements**

Successor Agency Managing Director Richard Keit provided an overview of the outstanding audits and reporting requirements.

Action: No action required.

## **8. Future Agenda Items.**

A Special meeting of the Oversight Board was scheduled for December 6, 2012.

## **9. Open Forum**

None.

## **10. Adjournment**

The Oversight Board of the Successor Agency to the Redevelopment Agency was adjourned at 9:44 a.m. to 9:00 a.m. Thursday, November 29, 2012 at San José City Hall.

Minutes Recorded, Prepared and Respectfully Submitted by,

ATTEST:

OVERSIGHT BOARD – SUCCESSOR AGENCY TO THE  
SAN JOSE REDEVELOPMENT AGENCY  
DENNIS D. HAWKINS, CMC, CLERK OF THE BOARD

Ruth Krantz, Deputy Clerk of the Board

rmk/11-8-12OSB\_MIN