

**MINUTES OF THE REGULAR MEETING OF THE OVER-SIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY HELD ON WEDNESDAY, OCTOBER 10, 2012, AT 6:02 P.M. IN THE CITY COUNCIL CHAMBERS, 5111 BENITO STREET, MONTCLAIR, CALIFORNIA**

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**I. PRELIMINARY MATTERS**

**A. Call to Order**

Chairman Ruh called the meeting to order at 6:02 p.m.

**B. Roll Call**

Present: Chairman Ruh; Vice Chairperson Johnson; Board Members Catlin, Kulbeck, Richardson, and Stallings; Deputy City Manager/Executive Director of Economic Development Staats; Finance Director Parker; Secretary Smith

Absent: Board Member Erickson (excused)

**II. PUBLIC COMMENT – None**

**III. APPROVAL OF MINUTES**

**A. Minutes of the Oversight Board Special Meeting of August 27, 2012**

Moved by Vice Chairperson Johnson, seconded by Board Member Richardson, and carried to approve the minutes of the Oversight Board special meeting of August 27, 2012.

**IV. BUSINESS ITEMS**

**A. Consider Adoption of Resolution No. 12-14, a Resolution of the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency Approving the Housing Due Diligence Audit Review Completed by Teaman, Ramirez & Smith, Inc., Pursuant to Sections 34179.5 and 34179.6 of the Health and Safety Code**

Board Member Richardson inquired as follows:

1. Has the meet-and-confer session with the Department of Finance (DOF) been held?

Finance Director Parker replied that DOF has not replied to his request for a meet-and-confer session. He noted learning during a California Redevelopment Association/California

Association for Local Economic Development presentation this morning that other successor agencies have yet to be granted meet-and-confer sessions.

2. What is the protocol to request a session?

Finance Director Parker stated that the original procedure was that a meet-and-confer session could be requested once DOF reviewed the Housing Asset Transfer form and issued a letter. He advised that staff followed the procedure, at which point DOF developed a new form for submittal of the required land acquisition documentation. He stated, "It has been months since then" and noted DOF is not following its procedure.

Finance Director Parker advised that National Committee Renaissance of California (National CORE) has now received federal tax credits for its 18-unit affordable housing project for persons with developmental disabilities proposed to be built on Successor Agency property located at 4113 Kingsley Street. Noting time is of the essence for use of the tax credits for the project, he stated that staff would again be requesting the meet-and-confer session to take place as quickly as possible or the Successor Agency could be subject to litigation.

Board Member Stallings asked if the guidelines for the Montclair Successor Agency housing due diligence audit review have been met according to DOF criteria.

Finance Director Parker answered, "I would hope so; but, unfortunately, every time DOF gets involved in this, they open up a whole new review process." He noted DOF does have that right, though it seems that the most recent questions being asked relate to earlier Recognized Obligation Payment Schedule reports.

Moved by Board Member Stallings and seconded by Board Member Catlin that Resolution No. 12-14, entitled, "**A Resolution of the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency Approving the Housing Due Diligence Audit Review Completed by Teaman, Ramirez & Smith, Inc., Pursuant to Sections 34179.5 and 34179.6 of the Health and Safety Code,**" be read by number and title only, further reading be waived, and it be declared adopted.

The Oversight Board waived the reading of the Resolution.

Resolution No. 12-14 was adopted by the following vote:

AYES: Stallings, Richardson, Kulbeck, Catlin, Johnson, Ruh  
NOES: None  
ABSTAIN: None  
ABSENT: Erickson

## **V. COMMUNICATIONS**

**A. Staff** – No comments

### **B. Chairman and Members**

1. Board Member Stallings asked that an item be placed on the next Oversight Board agenda to consider retention of Oversight Board legal counsel.

Chairman Ruh asked Secretary Smith if the item could be agendaized for the next meeting.

Secretary Smith answered, "Yes."

## **VI. ADJOURNMENT**

At 6:11 p.m., Chairman Ruh adjourned the Oversight Board of Directors.

Submitted for Oversight Board approval,

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Yvonne L. Smith  
Secretary