

**OVERSIGHT BOARD  
CITY OF PACIFICA AS SUCCESSOR AGENCY  
TO THE CITY OF PACIFICA REDEVELOPMENT AGENCY**

**April 4, 2012 – 5:00 PM**

**MINUTES**

**1. Roll Call, Welcome and Introductions**

**MaryAnn Nihart welcomed the members of the Oversight Board. Present at the meeting were MaryAnn Nihart, Steve Rhodes, Penny Bennett, Dave Holland, Raymond Chow and Josie Peterson. City of Pacifica staff present: Ann Ritzma, Administrative Services Director and Michelle Kenyon, City Attorney.**

**2. Oversight Board Legal Counsel:**

**Michelle Kenyon informed the Oversight Board that they would need to consider legal counsel as she could not provide that function in her role as the City Attorney. City Attorneys in San Mateo County discussed a variety of options and are recommending that the San Mateo Oversight Boards utilize two attorneys that have redevelopment experience and no conflict of interest. The attorney being recommended for Pacifica is Craig Labadie. Michelle Kenyon introduced Mr. Labadie and shared his resume with the Board. The Board discussed the need for legal advice, the advantage of utilizing the same individual as other Oversight Boards and including the cost of legal counsel in the ROPS. The Board requested that staff provide Mr. Labadie's resume and an agreement for professional services for consideration at the next meeting**

**3. Review of Oversight Board Role and Responsibilities:**

**Michelle Kenyon informed the Oversight Board of their role and responsibilities per statute.**

**4. Discussion of By Laws and appointment of Chair and Vice Chair**

**Staff introduced the proposed By Laws. Rhodes asked if there was a legal opinion on the appointment of the City Manager as the former RDA employee. Labadie responded that had drafted an opinion on that subject and would share it with the Board. Peterson asked if there was a need for insurance for personal immunity. Labadie responded that City as Successor Agency held the insurance.**

**After introduction and discussion of the By Laws, it was moved (Bennett) and seconded (Nihart) and pass unanimously to adopt By Laws for the Oversight Board with the following amendment: "Section 1. Annual Meeting shall be held on the 1<sup>st</sup> Thursday of April at 5:30 pm at the Pacifica City Council Chambers; Section 2. The Board shall meet regularly on the first Thursday of each month, at the hour of 5:30 pm, at Pacifica City Council Chambers and Section 6. Agendas/notices shall be posted at Pacifica City Hall – 170 Santa Maria Avenue, Pacifica, CA"**

**Nominations were then taken for Board Chair. Bennett nominated Holland for Chair and it was seconded by Peterson. Holland was unanimously appointed Chair.**

Nominations were taken for Vice Chair. Holland nominated Bennett and it was seconded by Chow. Bennett was unanimously appointed Vice Chair.

A motion was made by Bennett and seconded by Holland to adopt Resolution 01-2012 By Laws for the Oversight Board for the Successor Agency City of Pacifica and Naming Officers by Resolution. The motion was unanimously approved.

**5. Discussion of Conflict of Interest Code**

The Board discussed the proposed Conflict of Interest Code and it was moved by Rhodes and seconded by Chow to adopt Resolution 02-2012 Conflict of Interest Code. The motion was unanimously approved. Kathy O'Connell, City of Pacifica City Clerk, handed out FPPC Form 700 packets. The 700 form "assuming office" will need to be completed by all members of the Board and returned to the City Clerk.

**6. Consideration and possible approval of Recognized Obligation Payment Schedule (ROPS)**

The Board requested additional information:

- Legal counsel – will this be a contract with the City and will charges be paid by the City? Labadie responded that the City would pay for legal counsel through the ROPS.
- County Audit Information – when will this be available? Staff provided the letter from the County stating that audit information would be available on Monday, April 9, 2012 after 5PM.
- Chow requested information on both the City's loan to the former Redevelopment Agency (time frame, term, interest rate) and the Tax Allocation Bond (term, interest rate). Staff did provide the Board with the payment schedule for the General Fund loan and the summary on the Tax Allocation Bond.
- The Board requested documentation for administrative costs in the ROPS.

The Board concurred that additional information was necessary prior to certifying the ROPS and continued this item to the next meeting on Monday, April 16, 2012 at Noon. Labadie reminded the group that the certified ROPS is due to the Department of Finance on Monday, April 16<sup>th</sup>.

**7. Designation of Point of Contact for Department of Finance and City Staff for Clerk**

It was moved by Bennett and seconded by Peterson to designate Ann Ritzma as the point of contact for Department of Finance and Clerk for the Board. The motion was unanimously approved.

**8. Public Comments:** Bernie Sirfy asked if being a Boardmember was a paid position. Labadie responded that the statute did not provide for any compensation.

**9. Board Comments:** City Clerk, Kathy O'Connell, administered the oath of office to the Boardmembers.

**10. The meeting was adjourned at 6:30 p.m. Next meeting scheduled for Monday, April 16<sup>th</sup> at Noon in the City Council Chambers.**

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