

SAN GABRIEL SUCCESSOR AGENCY OVERSIGHT BOARD

MINUTES

MONDAY, OCTOBER 8, 2012 SPECIAL MEETING

Community Development Department Conference Room

410 McGroarty Street

San Gabriel, California 91776

1. CALL TO ORDER/ROLL CALL

Present:

Board Chair Hamid Behdad, Appointee, Chancellor of the California Community Colleges

Board Vice Chair Thomas Marston, Appointee, Mayor City of San Gabriel

Board Member Frank Cheng, Appointee, Los Angeles County Library

Board Member David R. Gutierrez, Appointee, Mayor City of San Gabriel

Board Member Annie Huang, Appointee, Los Angeles County Board of Supervisors

Board Member Maria Martin, Appointee, Los Angeles County Board of Education

Absent:

Board Member David Sweeney, Appointee, Los Angeles Board of Supervisors

Also present were:

Teresa L. Highsmith, Oversight Board Attorney

Peter Wallin, Deputy City Attorney, City of San Gabriel

Robin Scherr, Economic Development Manager, City of San Gabriel

Camille Paton, Deputy City Clerk, City of San Gabriel

Jean Matakovitch, Los Angeles County Commission Services Division

2. PUBLIC COMMENT

PUBLIC COMMENT: PURSUANT TO GOVERNMENT CODE SECTION 54954.3, THIS IS THE TIME PROVIDED FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COUNCIL ON ITEMS OF INTEREST THAT ARE NOT ON THE AGENDA WITHIN THE SUBJECT MATTER JURISDICTION OF THE OVERSIGHT BOARD.

There were no members of the public present.

3. PUBLIC HEARING TO CONSIDER THE DRAFT DUE DILIGENCE REVIEW FOR THE LOW MODERATE INCOME HOUSING FUND (LMIHF AUDIT)

Economic Development Manager Scherr provided the staff report. Vice Chair Thomas Marston gave a summary of the LMIHF Audit results and findings. General Counsel Terri Highsmith concurred that Ms. Scherr's presentation accurately described the Oversight Board process for approval of the Housing Fund Audit as required by the Department of Finance.

MOTION: Moved by Board Member Gutierrez, seconded by Chair Hamid to open the public hearing. Motion carried 6-0.

There were no members of the public present and no written correspondence received.

MOTION: Moved by Board Member Gutierrez, seconded by Board Member Huang to close the public hearing. Motion carried 6-0.

4. BOARD ITEMS

Deputy City Attorney Peter Wallin asked Ms. Highsmith to address the need for board members to receive ethics training as part of the state law requirement. Ms. Highsmith will report back her findings at the next Oversight Board meeting.

Chair Behdad asked Ms. Highsmith about the necessity to adopt meeting minutes by resolution. Ms. Highsmith opined that resolutions for board meeting minutes are not necessary.

Chair Behdad asked if there were any lawsuits pending by the League of Cities against the State. Mr. Wallin answered that there were two lawsuits pending, one by a group of cities including the City of San Gabriel represented by Colantuono & Levin and the other by the League of California Cities. Ms. Highsmith elaborated that both lawsuits are challenging the ability of the State to order a withholding of use, sales, and property taxes from cities or successor agencies to make up for the amount of money the state believes successor agencies should be paying. The California League of Cities challenge includes taxing entities as defendants and also has specific allegations asking for repayment for certain cities that made payments during the true up process.

5. ADJOURNMENT

Oversight Board actions are subject to review by the California State Department of Finance. As such, the Oversight Board Actions shall not be effective for three days pending a request for review by the Department of Finance.



Camille Paton, Deputy City Clerk



Hamid Behdad, Chair