

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY
OF THE WEST COVINA
REDEVELOPMENT AGENCY**

**REGULAR MEETING
AGENDA**

West Covina City Hall
City Manager's Conference Room, Room 305
1444 West Garvey Avenue, West Covina, CA 91790

**THURSDAY, JANUARY 15, 2015
4:00 p.m.**

Carrie A. Sutkin, Chairperson
Luzmaria Chavez, Board Member
Robert R. Coghlan, Board Member
Mike Gregoryk, Board Member
Gerry Hertzberg, Board Member
Mike Lee, Board Member
David Stewart, Board Member

AMERICANS WITH DISABILITIES ACT

The Board complies with the Americans with Disabilities Act (ADA). If you will need special assistance at Board Meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday, at least 48 hours prior to the meeting to make arrangements.

AGENDA MATERIAL

Agenda material is available for review at the West Covina City Clerk's Office, Room 317 in City Hall, 1444 W. Garvey Avenue and at www.westcovina.org. Any writings or documents regarding any item on this agenda not exempt from public disclosure, provided to a majority of the Oversight Board that is distributed less than 72 hours, before the meeting, will be made available for public inspection in the City Clerk's Office, Room 317 of City Hall during normal business hours.

PUBLIC COMMENT

Any member of the public may address the Board on items within the Board's subject matter jurisdiction during Public Comments. The Board may not take action on matters not listed on the posted agenda. If you would like to address the Board, please complete a Speaker Card and submit to the Board Secretary. All comments are limited to five (5) minutes per speaker. All speakers shall observe decorum and order as specified in the *Rules of Procedure of the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency*.

**REGULAR MEETING
AGENDA**

Thursday, January 15, 2015
4:00 p.m.

I. CALL TO ORDER

A. Roll Call

Carrie A. Sutkin, Chairperson
Luzmaria Chavez, Board member
Robert R. Coghlan, Board Member
Mike Gregoryk, Board member
Gerry Hertzberg, Board Member
Mike Lee, Board Member
Dave Stewart, Board Member

B. Pledge of Allegiance

II. CHANGES TO THE AGENDA

III. PUBLIC COMMENT

This is the time set aside for public comments. Please step forward to the podium and state your name and city of residence for the record when recognized by the Chairperson. Comments are limited to five (5) minutes per speaker.

IV. BUSINESS ITEM(S)

**A. ELECTION FOR THE CHAIRPERSON AND VICE-CHAIRPERSON
AND DESIGNATE NEW CHAIRPERSON AND VICE-
CHAIRPERSON**

Recommendation

It is recommended that the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency adopt the following resolution:

RESOLUTION NO. OB-____ - A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0010, DESIGNATING A CHAIRPERSON, VICE-CHAIRPERSON AND IDENTIFYING ADDITIONAL OVERSIGHT BOARD MEMBERS AND PROVIDING NOTICE TO THE DEPARTMENT OF FINANCE ("DOF") AS REQUIRED BY HEALTH AND SAFETY CODE SECTION 34179

B. REQUEST BY BOARD MEMBER HERTZBERG TO DEFINE THE ROLE OF THE CHAIRPERSON

Recommendation

It is recommended that the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency adopt the following resolution:

RESOLUTION NO. OB-____ - A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0004 TO AMEND THE OVERSIGHT BOARD RULES OF PROCEDURE

V. BOARD MEMBERS' COMMENTS

VI. ADJOURNMENT

Copies of staff reports or other written documentation, *if any*, relating to each item of business described above are on file in the West Covina City Hall, City Clerk's Office, 1444 West Garvey Avenue, West Covina CA 91790, and are available for public inspection upon request during regular business hours of 8:00 a.m. to 5:30 p.m., Monday through Thursday.

Should any person have a question concerning any of the above agenda items prior to the meeting described herein, he or she may contact Paulina Morales, Senior Project Manager, either in person in the Community Development Commission Office at West Covina City Hall, 1444 West Garvey Avenue, West Covina, CA 91790, or by calling via telephone at (626) 939-8417 during regular business hours.

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY
OF THE WEST COVINA REDEVELOPMENT AGENCY**

AGENDA REPORT

Item No. IV-A

Date: January 15, 2015

TO: Chairperson and Board Members of the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

FROM: Tom Mauk, Interim Executive Director

BY: Paulina Morales, Senior Project Manager

SUBJECT: ELECTION FOR THE CHAIRPERSON AND VICE-CHAIRPERSON AND DESIGNATE NEW CHAIRPERSON AND VICE-CHAIRPERSON

RECOMMENDED ACTION:

It is recommended that the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency adopt the following resolutions:

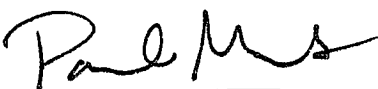
RESOLUTION NO. OB-____ - A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0010, DESIGNATING A CHAIRPERSON, VICE-CHAIRPERSON AND IDENTIFYING ADDITIONAL OVERSIGHT BOARD MEMBERS AND PROVIDING NOTICE TO THE DEPARTMENT OF FINANCE ("DOF") AS REQUIRED BY HEALTH AND SAFETY CODE SECTION 34179

DISCUSSION:

On December 4, 2014 the Oversight Board voted to amend the Oversight Board's Bylaws to incorporate an annual election process for the Chairperson and Vice-Chairperson.

Pursuant to the adopted Resolution OB-0029 the annual election is to be held in January of each year. The Rules and Procedures of the Oversight Board state that any action or motion of the board shall require four affirmative votes. The current Chairperson shall open nominations for the Chairperson and Vice-Chairperson positions. Once a new Chairperson and Vice-Chairperson are designated a resolution will need to be adopted to reflect the newly appointed officers.

Prepared By:



Paulina Morales
Senior Project Manager

Attachment:

1. Resolution No. OB-00__ - Designation of Chairperson and Vice-Chairperson

ATTACHMENT NO. 1

RESOLUTION NO. OB-00__

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0010, DESIGNATING A CHAIRPERSON, VICE-CHAIRPERSON AND IDENTIFYING ADDITIONAL OVERSIGHT BOARD MEMBERS AND PROVIDING NOTICE TO THE DEPARTMENT OF FINANCE ("DOF") AS REQUIRED BY HEALTH AND SAFETY CODE SECTION 34179

WHEREAS, California Health and Safety Code Section 34179 requires that each Successor Agency have an Oversight Board: and

WHEREAS, Section 34179 further requires that the members of the Oversight Board elect one of their members as the chairperson. In the event that the Chairperson is not available to attend a meeting or perform an obligation required of the Chairperson, it is prudent to also elect a Vice Chairperson who is authorized to act in the absence of the Chairperson; and

WHEREAS, Section 34179 also requires that an Oversight Board transmit the names of its Chairperson and members to the Department of Finance; and

WHEREAS, the Oversight Board has previously adopted Resolution No. OB 0001 identifying the names of the Oversight Board Members and the Chairperson and Vice-Chairperson; and

WHEREAS, since the adoption of Resolution No. OB-0010, the Oversight Board has voted to incorporate a rotation process for the Chairperson and the Vice Chairperson. In addition, since then the Vice-Chairperson Michael Touhey has resigned; and,

WHEREAS, the following appointments have therefore been made:

Robert R. Coghlan, Representative for the County Superintendent of Education
David Stewart, member appointed by the Mayor

NOW THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY HEREBY RESOLVES:

SECTION 1. The Chairperson of the Oversight Board shall be _____.
The Vice Chairperson shall be _____.

SECTION 2. The Successor Agency staff is hereby directed to transmit a copy of this resolution identifying the replacement appointees and Chairperson and Vice Chairperson to the State Department of Finance.

SECTION 3. The Oversight Board Secretary shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED on this 15th day of January, 2015.

Chairperson
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

ATTEST

Rosalia Conde, Secretary
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency at a special meeting held on the 15th day of January by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rosalia Conde, Secretary
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

TO: Chairperson and Board Members of the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

FROM: Tom Mauk, Interim Executive Director

BY: Paulina Morales, Senior Project Manager

SUBJECT: REQUEST BY BOARD MEMBER HERTZBERG TO DEFINE THE ROLE OF THE CHAIRPERSON

RECOMMENDED ACTION:

It is recommended that the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency adopt the following resolutions:

RESOLUTION NO. OB-____ - A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0004 TO AMEND THE OVERSIGHT BOARD RULES OF PROCEDURE

DISCUSSION:

On May 1, 2014, the Oversight Board voted to bring back a Resolution to consider amending the Oversight Board's Bylaws requiring the Chairperson's approval of the final agenda and to establish or cancel meetings. While the Board's direction is to bring back an amendment of the Bylaws for consideration, the appropriate document to address this change is the Rules of Procedure of the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency.

On April 19, 2012, the Oversight Board adopted Resolution No. OB-0004 establishing the Rules of Procedure. Below are the excerpts from the Rules of Procedure pertaining to the proposed changes:

ARTICLE 1 – MEETINGS

Section 1. Regular Meetings

The day, time and location of the regular meetings of the Oversight Board shall be determined by the Oversight Board and approved by resolution. The meetings will be held at the West Covina City Hall, 1444 West Garvey Avenue, West Covina, California. In the event a regular meeting falls on a legal holiday, said meeting shall be held on the next business day unless otherwise determined by the Oversight Board.

Section 2. Special Meetings

The Chairperson of the Oversight Board may, when he or she deems it necessary, and shall, upon the written request of four members of the Oversight Board, call a special meeting of the Oversight Board for the purpose of transacting the business designated in the call. The means and method for calling such special meeting shall be as set forth in the Ralph M. Brown Act, California Government Code Section 54950 et seq., as it now exists or may hereafter be amended (the "Brown Act").

Section 5. Order of Business

(b) Preparation of Agenda: The Executive Director of the Successor Agency or his designee shall be responsible for the preparation of the Agenda. The Executive Director shall have the ability to place items on the agenda deemed necessary for consideration by the Oversight Board.

Any requests by Oversight Board Members for reports, studies or investigations that are not readily available must be placed on the Oversight Board Agenda as items of business and must be approved by a majority vote of the Oversight Board. Such Board Member's request can either be made directly to the Executive Director or at an Oversight Board meeting under "Board Members' Comments" section of the Agenda. Upon receiving a request, the Executive Director, or his designee shall prepare and place on a future agenda, a staff report stating the request made by the Board Member for Oversight Board consideration. If approved by majority vote, the Executive Director shall then prepare the requested matter (i.e. report, study or investigation) and if necessary or requested, subsequently place the matter on a future Agenda for discussion and consideration.

On April 19, 2012 the Oversight Board adopted Resolution OB-0002 establishing the date, time and location of the Oversight Board meeting. ~~The resolution stated that the Chairperson or four (4) members of the Board may call a special meeting (Attachment No. 1).~~ At the same meeting the Oversight Board adopted the Rules of Procedure, which state a special meeting may be called by the Chairperson and with the written request of four (4) members of the Oversight Board. As there a discrepancy, staff recommends amending the Rules of Procedure to address the intent of the Board's original resolution and allow the Chairperson or four (4) board members the ability to call for a special meeting.

Pursuant to the May 1, 2014 Board meeting, the Board voted to consider giving the Chairperson the ability to cancel meetings. Currently the Executive Director cancels the meetings when there is no business for the Board to conduct or a lack of quorum. The request will need clarification as both the Chairperson and Executive Director will have the ability to cancel a meeting.

Under the current Rules of Procedure, the Chairperson along with Board Members are able to place items on the agenda by making a request to the Executive Director or at a Board meeting. The Board member's requested item is placed on the agenda by the Executive Director for a future meeting. The Executive Director may also place items on the agenda when deemed necessary for consideration by the Board and has final approval of the agenda.

The proposed revisions would require that the Executive Director discuss the draft Agenda with the Chairperson prior to finalizing it and allow a Board Member to propose an item for consideration at a future meeting, subject to approval by a majority of the Board. If the Board

wishes to give the Chairperson the independent right to add items to the draft agenda, that modification may be made at the Board meeting.

Pursuant to the Board's direction at the May 1, 2014 meeting, staff has amended the Rules of Procedures amending Article 1 – Meetings Section 2 and 5. The recommended changes are italicized.

ARTICLE 1 – MEETINGS

Section 2. Special Meetings

The Chairperson of the Oversight Board *or four (4) board members, may, when deemed necessary*, call a special meeting of the Oversight Board for the purpose of transacting the business designated in the call. The means and method for calling such special meeting shall be as set forth in the Ralph M. Brown Act, California Government Code Section 54950 et seq., as it now exists or may hereafter be amended (the "Brown Act").

Section 5. Order of Business

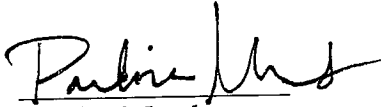
(b) Preparation of Agenda: The Executive Director of the Successor Agency or his designee shall be responsible for the preparation of the Agenda. The Executive Director shall have the ability to place items on the agenda deemed necessary for consideration by the Oversight Board. *Prior to finalizing the agenda, the Executive Director shall review the agenda with the Chairperson.*

Any requests by Oversight Board Members for reports, studies or investigations that are not readily available must be placed on the Oversight Board Agenda as items of business and must be approved by a majority vote of the Oversight Board. Such Board Member's request can either be made directly to the Executive Director or at an Oversight Board meeting under "Board Members' Comments" section of the Agenda. Upon receiving a request, the Executive Director, or his designee shall prepare and place on a future agenda, a staff report stating the request made by the Board Member for Oversight Board consideration. If approved by majority vote, the Executive Director shall then prepare the requested matter (i.e. report, study or investigation) and if necessary or requested, subsequently place the matter on a future Agenda for discussion and consideration.

(c) Agenda Items Added By Oversight Board Members: *Any member of the Oversight Board may propose at the conclusion of any Board meeting that an item be placed for consideration by the Board at a future meeting. Upon concurrence of a majority of the Board (4 affirmative votes), such item shall be placed on a future Board agenda.*

Any amendments to the Rules of Procedure require a vote of the majority of the board members. It is important to note that a 7-day written notice to all board members is required prior to making any amendments to the Rules of Procedure. The Oversight Board members have been provided notice.

Prepared By:



Paulina Morales
Senior Project Manager

Attachment:

1. Resolution No. OB-0002 – Establishing Date, Time, and Location of Meetings
 2. Resolution No. OB-00 – Amended Rules of Procedure
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RESOLUTION NO. OB-0002

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR
AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY
ESTABLISHING THE DATE, TIME AND LOCATION OF OVERSIGHT
BOARD MEETINGS

WHEREAS, the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency ("Oversight Board") has met and conferred to determine a date, time and location for Oversight Board meetings.

NOW THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY HEREBY RESOLVES:


SECTION 1. The Oversight Board will meet on the first Thursday of the month at 4:00 p.m. beginning Thursday, May 3, 2012 and the meetings shall be open to the public. Meetings may be adjourned by the presiding officer or by the Secretary if a quorum is not present.

SECTION 2. The location of the Oversight Board meetings shall be at West Covina City Hall, 1444 W. Garvey Avenue, West Covina California.

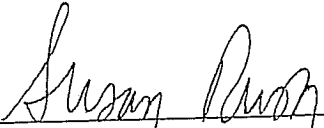
SECTION 3. Special meetings may be called by the Chairperson or by four (4) board members, and notice thereof shall be provided in accordance with the Brown Act.

SECTION 4. The Successor Agency Secretary shall certify to the adoption of this Resolution.

~~APPROVED AND ADOPTED on this 19th day of April, 2012.~~

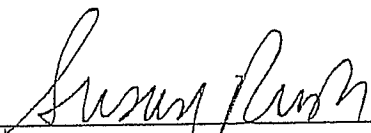

Fernando Oliveros, Chairperson
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

ATTEST


Susan Rush, Secretary
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency at a special meeting held on the 19th day of April by the following vote:

AYES: Escobedo, Gregoryk, Lee, Morales, Touhey, Oliveros
NOES: None
ABSENT: Bastin
ABSTAIN: None



Susan Rush, Secretary
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

ATTACHMENT NO. 2

RESOLUTION NO. OB -00__

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0004 TO AMEND THE OVERSIGHT BOARD RULES OF PROCEDURE

WHEREAS, Assembly Bill X1 26 (ABX1 26) provides that successor agencies be designated as successor entities to the former redevelopment agencies, and provides that, with certain exceptions, all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies, under Community Redevelopment Law, are vested in the successor agencies; and

WHEREAS, On January 10, 2012, in accordance with Health and Safety Code Section 34173, the City Council of the City of West Covina adopted Resolution 2012-1 electing to be the successor agency to the City of West Covina; and

WHEREAS, ABX1 26 provides that each successor agency shall have an oversight board; and,

WHEREAS, On April 19, 2012, the Oversight Board for the Successor Agency to the City of West Covina Redevelopment Agency was formally formed.

WHEREAS, On April 19, 2012, the Oversight Board for the Successor Agency to the City of West Covina Redevelopment Agency approved Resolution No. OB-0004 adopting the Oversight Board Rules of Procedure.

NOW THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY HEREBY RESOLVES:

SECTION 1. The Board hereby amends the Oversight Board Rules of Procedures to amend the following text in Article I – Meetings:

Section 2. Special Meetings

The Chairperson of the Oversight Board or four (4) board members, may, when deemed necessary, call a special meeting of the Oversight Board for the purpose of transacting the business designated in the call. The means and method for calling such special meeting shall be as set forth in the Ralph M. Brown Act, California Government Code Section 54950 et seq., as it now exists or may hereafter be amended (the "Brown Act").

Section 5. Order of Business

(b) **Preparation of Agenda:** The Executive Director of the Successor Agency or his designee shall be responsible for the preparation of the Agenda. The

Executive Director shall have the ability to place items on the agenda deemed necessary for consideration by the Oversight Board. Prior to finalizing the agenda, the Executive Director shall review the agenda with the Chairperson.

Any requests by Oversight Board Members for reports, studies or investigations that are not readily available must be placed on the Oversight Board Agenda as items of business and must be approved by a majority vote of the Oversight Board. Such Board Member's request can either be made directly to the Executive Director or at an Oversight Board meeting under "Board Members' Comments" section of the Agenda. Upon receiving a request, the Executive Director, or his designee shall prepare and place on a future agenda, a staff report stating the request made by the Board Member for Oversight Board consideration. If approved by majority vote, the Executive Director shall then prepare the requested matter (i.e. report, study or investigation) and if necessary or requested, subsequently place the matter on a future Agenda for discussion and consideration.

(c) Agenda Items Added By Oversight Board Members: Any member of the Oversight Board may propose at the conclusion of any Board meeting that an item be placed for consideration by the Board at a future meeting. Upon concurrence of a majority of the Board, such item shall be placed on a future Board agenda.

SECTION 2. The Oversight Board Secretary shall certify to the adoption of this resolution.

APPROVED AND ADOPTED on this 15th day of January, 2015.

Chairperson
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

ATTEST

Rosalia Conde, Secretary
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the by the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency at a special meeting held on the 15th day of January by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rosalia Conde, Secretary
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency
