

**OVERSIGHT BOARD FOR CITY OF SAN DIEGO
REDEVELOPMENT SUCCESSOR AGENCY
MINUTES FOR
BOARD MEETING
OF
TUESDAY, AUGUST 28, 2012
AT 2:00 PM
IN THE CIVIC SAN DIEGO BOARD ROOM
401 B STREET, SUITE 400, SAN DIEGO, CA 92101**

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ITEM 1 –Report from the Successor Agency regarding APPROVAL OF THE THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROP 3), SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR ROPS 3, AND ASSOCIATED ACTIONS

COMMUNICATIONS RECEIVED

ADJOURNMENT

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chair Mark Nelson at 1:34p.m. The meeting was adjourned by Chair Mark Nelson at 2:52 p.m.

ATTENDANCE DURING THE MEETING:

PRESENT:

Mark Nelson, City of San Diego appointee
Maureen Stapleton, Special District appointee
James Davies, City of San Diego appointee
Andra Donovan, Esq., County Superintendent of Education appointee
Peter Q. Davis, County of San Diego appointee
Supervisor Ron Roberts, County of San Diego appointee

ABSENT:

Dr. Bonnie Ann Dowd, California Community Colleges appointee

CLERK:

Nancy Gudino

ROLL CALL:

- (1) Ron Roberts- present
- (2) Peter Q. Davis- present
- (3) Mark Nelson-present
- (4) James Davies-present
- (5) Maureen Stapleton-present
- (6) Bonnie Ann Dowd-absent
- (7) Andra Donovan-present

ITEM DESCRIPTION:

Approval of committee minutes from August 7, 2012 meeting.

BOARD ACTION: Action Time: 1:35 p.m.

MOTION BY ANDRA DONOVAN TO APPROVE. Second by James Davies.

Passed by the following vote:

Yea: Andra Donovan, Mark Nelson, James Davies Ron Roberts, Maureen Stapleton,

Nay: (None);

Recused: (None);

Not Present: Bonnie Ann Dowd, Peter Q. Davis.

ITEM 1 – Report from the Successor Agency regarding APPROVAL OF THE THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROP 3), SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR ROPS 3, AND ASSOCIATED ACTIONS

ITEM DESCRIPTION:

Adoption of a resolution:

- (1) Approving the Third Recognized Obligation Payment Schedule covering the period from January 1 through June 30, 2013 ("ROPS 3");
- (2) Authorizing Successor Agency staff, with the approval of Oversight Board legal counsel, to make any necessary adjustments to ROPS 3 based on recent changes made by the State Department of Finance to the mandatory ROPS format, as well as written guidance from the State transmitted after the distribution of the updated ROPS format, provided that the substantive content of ROPS 3 remains substantially the same;
- (3) Approving the Administrative and Project Management Budget for the Successor Agency covering the period from January 1 through June 30, 2013; and
- (4) Authorizing the Successor Agency to enter into services contracts, management contracts and similar contracts, and amendments to existing contracts of that nature, for items that are budgeted in the approved ROPS 3, consistent with California Health and Safety Code Sections 34171(d)(1)(F) and 34177.3(b).

STAFF RECOMMENDATION:

Approve proposed actions.

SUPPORTING INFORMATION:

The Successor Agency is in the process of winding down the operations of the former Redevelopment Agency of the City of San Diego ("Former RDA") in accordance with Assembly Bill x1 26 ("AB 26"), enacted on June 28, 2011, and Assembly Bi11484 ("AB 1484"), enacted on June 27, 2012 (collectively, the "Dissolution Laws"). On January 10, 2012, the City Council designated the City of San Diego ("City") to serve as the Successor Agency to the Former RDA for purposes of winding down the Former RDA's operations and to retain the Former RDA's housing assets and assume the Former RDA's housing responsibilities.

Under the Dissolution Laws, the Recognized Obligation Payment Schedule ("ROPS") is the governing document as to payments that are allowed to be made by the Successor Agency during each applicable six-month period. Each ROPS is approved on a forward-looking basis for the upcoming six-month period. According to the Dissolution Laws, the ROPS has effectively superseded the Enforceable Obligation Payment Schedule ("EOPS") and the annual Statement of Indebtedness in terms of showing enforceable obligations to be paid by the Successor Agency.

The Successor Agency has submitted, and the State Department of Finance ("DOF") has approved, the first ROPS covering the period from January 1 through June 30, 2012 ("ROPS 1"), and the second ROPS covering the period from July 1 through December 31, 2012 ("ROPS 2"). The DOF has indicated that its decision on the prior ROPS's is final, but has reserved the right to object to any line items in ROPS 3 or any subsequent ROPS.

Changes since the Oversight Board Meeting of August 7, 2012

On or about August 1, 2012, the DOF released a revised ROPS template to be used for the ROPS 3 period, and made additional revisions to that template on or about August 9. The new template consolidated the previous forms A, B, and C onto one page and has eliminated the monthly detail of expenditures, previously shown on form B, and now only requires the total estimated expenditures for the six-month period covered by the ROPS. There is a new section to provide notes on any of the line items listed in the ROPS. Finally there is new section to provide a reconciliation of the ROPS 1 estimates to the actual payments for the ROPS 1 period.

In addition to the new ROPS template released by the DOF in early August 2012, the DOF has issued new guidance to successor agencies, on August 23, 2012, which addresses certain issues affecting how the ROPS is prepared. Due to the late release of the new guidance from the DOF, not all changes have been fully evaluated or incorporated into the attached ROPS 3 but staff will continue to work to update the

ROPS consistent with guidance provided by DOF prior to the submission to the DOF. The major change to ROPS 3 based on the new guidance will impact the Total Outstanding Obligation listed on ROPS 3. Although ROPS 3 was prepared showing an estimated Outstanding Obligation as of December 31, 2012, the DOF has provided guidance that the Total Outstanding Obligation should reflect the balance as of June 30, 2012 (end of the ROPS 1 period) and should only be updated annually. Additionally the DOF has provided guidance that the actual payments shown on the ROPS I PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS section should be on a cash basis. Staff is concerned that this guidance, which is not based on any specific language in the Dissolution Laws, may cause issues related to ROPS 1 payments toward enforceable obligations that may have been delayed for reasons beyond the Successor Agency's control and then paid to third parties during the ROPS 2 period, as well as issues related to any associated potential cash flow issues affected by the "claw back" provisions in the Dissolution Laws.

Several Items were added to ROPS III since the Oversight Board saw it on August 7, 2012. Those items include:

- Addition of 900 F Street Affordable Housing Development- The developer has made a claim to the Successor Agency for \$58,400 of undisbursed loan proceeds associated with the construction of the 900 F Street Affordable Housing Projects pursuant to the DDA and loan agreement with the developer (Line #540)
- Addition of Claims made by the San Diego Unified School District regarding disputed back pass-through tax sharing payments for \$203,176 (Line #541 & 542)
- Addition of Claims made by the San Diego Unified School District regarding disputed back pass-through tax sharing payments for \$551,776 (Line# 543, 544, 545)

New Requirements under Assembly Bill 1484

The most recent legislation, AB 1484, significantly changes and clarifies certain provisions of AB 26. Among other things, AB 1484 makes several changes to the process and timing for preparation and approval of each ROPS. Those changes include:

- AB 1484 adds California Health & Safety Code ("H&S Code") Section 34177(m), which has accelerated the deadline by which the Successor Agency must obtain the Oversight Board's approval of ROPS 3 and submit ROPS 3 to the DOF. The new submittal deadline is September 1, 2012, as opposed to October 1, 2012. The Fourth ROPS for the period of July 1, 2012 through December 31, 2013 ("ROPS 4") and all subsequent ROPS's must be submitted to the DOF and the San Diego County Auditor-Controller ("CAC") no fewer than 90 days in advance of the CAC's semi-annual distribution of funds from the Redevelopment Property Tax Trust Fund ("RPTTF").
- AB 1484 amends H&S Code Section 34179(h), extending the time frame by which the DOF has to request a review and to make its determination on the validity of enforceable obligations in each ROPS. The DOF now has five business days to request a review following its receipt of each ROPS, and up to 45 days total (if a review is timely requested) to make a determination on the amount of enforceable obligations and proposed funding sources shown on the ROPS. If the DOF does not request a review within five business days, the ROPS is deemed approved. However, if the DOF conducts a review of the ROPS, the DOF may eliminate or modify any item on the ROPS prior to its approval.
- Under H&S Code Section 34177(m), within five business days after the DOF's determination on each ROPS, the Successor Agency may request additional review by the DOF and an opportunity to meet and confer with the DOF on disputed items in the ROPS. The DOF must notify the Successor Agency and the CAC regarding the outcome of its additional review at least 15 days before the date of the CAC's semi-annual property tax distribution under the Dissolution Laws.

- H&S Code Section 37177(m) subjects the Successor Agency and its sponsoring community (i.e., the City) to onerous penalties if the Successor Agency fails to comply with certain new deadlines. For instance, if the Successor Agency fails to submit an Oversight Board-approved ROPS by the statutory deadline (e.g., September 1, 2012 for ROPS 3), the City will be subject to civil penalties in the amount of \$10,000 per day for each day the ROPS is delinquent. If the Successor Agency fails to submit a ROPS within 10 days after the deadline, the Successor Agency's maximum administrative cost allowance for the period covered by the applicable ROPS will be reduced by 25 percent. In addition, untimely submittal of the ROPS, in compliance with the DOF's content requirements, could result in the delay of distribution of funds from the CAC to the Successor Agency for the payment of enforceable obligations.
- AB 1484 adds H&S Code Section 34182.5, which enables the CAC to object to the inclusion of any items that are not demonstrated to be enforceable obligations, rather than only "certifying" the ROPS as prescribed under AB 26. The CAC is directed to notify the DOF, Successor Agency, and the Oversight Board concerning any objections, generally at least 60 days prior to the distribution date of funds from the RPTTF for the applicable ROPS period, except that for ROPS 3, the notice must be given no later than October 1, 2012. If an Oversight Board disputes the CAC's objection to any ROPS item, the Oversight Board may refer the matter to the DOF for a determination of what will be approved for inclusion in the applicable ROPS.
- AB 1484 amends H&S Code Section 34171(b), providing some clarity on the three percent administrative cost allowance to be allocated to the Successor Agency for each six-month ROPS period. AB 1484 states that administrative cost allowance excludes litigation costs, settlements and judgments, and maintenance costs for assets owned by the Successor Agency prior to disposition. Further, AB 1484 clarifies that employee costs for specific project implementation activities, such as project management and construction inspection, are considered project-specific costs and are not counted against the Successor Agency's administrative cost allowance.
- AB 1484 adds H&S Code Section 34176(g), which provides for the future expenditure of "excess" housing bond proceeds that were issued for affordable housing purposes prior to January 1, 2011, and were backed by the Low and Moderate Income Housing Fund, but are not contractually committed at this time for a specific project. The successor housing entity (i.e., the City in this instance) is permitted to designate the use and commitment of excess housing bond proceeds and to request the Successor Agency's inclusion of line items in ROPS 3 and any future ROPS for the expenditure of such proceeds. In reviewing the proposed inclusion of excess housing bond proceeds in any ROPS, the Oversight Board and the DOF are limited to a determination that the designations and commitments of such proceeds are consistent with bond covenants and that there are sufficient funds available. The use of the excess housing bond proceeds is not contingent upon the DOF's issuance of a finding of completion to the Successor Agency under H&S Code Section 34179.7.
- AB 1484 adds H&S Code Section 34191.4(c), which provides for the future expenditure of "excess" non-housing bond proceeds that were issued prior to January 1, 2011, but are not contractually committed at this time for a specific project. Such excess bond proceeds must be expended in a manner consistent with the original bond covenants, and obligations for the expenditure of such proceeds must be listed separately on the ROPS. Unlike the situation with excess housing bond proceeds, the use of the excess non housing bond proceeds is contingent upon the DOF's issuance of a finding of completion to the Successor Agency under H&S Code Section 34179.7.

Third Recognized Obligation Payment Schedule

ROPS 3 has been based on the latest template as provided by the DOF. Several items listed on previous ROPS's have been fully depleted and no remaining obligation continues to be shown on ROPS 3. Further, certain items have been removed from ROPS 3 that were no longer necessary or redundant in nature. For

example, several agreements between the Former RDA and the City of San Diego had been listed individually on previous versions of the ROPS's and were the line items by which the Successor Agency used to display administrative costs or project management costs. Those have been replaced with two lines 466 and 467. Line 466 of administrative budget for the Successor Agency as more thoroughly detailed in Attachment B - ROPS 3 Administrative and Project Management Budget. Line 467 represents the amount of project management costs associated with implementing projects on the enforceable obligation list or litigation costs, as more thoroughly detailed in Attachment B - ROPS 3 Administrative and Project Management Budget.

Other changes from previous ROPS's include the consolidation of similar lines into a single line item. For example, a single project may be funded from several sources, including RPTTF distributions, reserve balance, bond proceeds or other revenues. That project may have been represented on multiple lines, with each line dedicated to a specific funding source. Staff has done its best to consolidate those lines items into a single line in ROPS 3. Certain costs have been added to ROPS 3 not previously listed on ROPS 1 or ROPS 2. Those specific items include:

- Oversight Board Legal Counsel -Meyers Nave (Line 476);
- Audit required under AB 1484 of low and moderate income housing assets (Line 477);
- Audit required under AB 1484 of all other assets of the Successor Agency (Line 478);
- Expenses for general property management and claims (Line 474);
- Reserve for Debt Service (Line 479 and 480); and
- Unencumbered affordable housing bond proceeds and non-housing bond proceeds, consistent with the above-described provisions of AB 1484 (Line 481 and on).
- Addition of 900 F Street Affordable Housing Development- The developer has made a claim to the Successor Agency for \$58,400 of undisbursed loan proceeds associated with the construction of the 900 F Street Affordable Housing Projects pursuant to the DDA and loan agreement with the developer (Line #540)
- Addition of Claims made by the San Diego Unified School District regarding disputed back pass-through tax sharing payments for \$203,176 (Line #541 & 542)
- Addition of Claims made by the San Diego Unified School District regarding disputed back pass-through tax sharing payments for \$551,776 (Line# 543, 544, 545)

Each ROPS is prepared using estimates and staffs best assumption as to the timing and amount of payments in a given ROPS period. Actual payments during the ROPS 1 period may have varied from amounts listed in ROPS 1. The new ROPS 3 template includes a spreadsheet that seeks to reconcile estimated vs. actual payments related to ROPS 1. That spreadsheet identifies line items in which payments toward a particular enforceable obligation may have been above or below the amount listed in ROPS 1, although any increased payments during the six-month ROPS 1 period were within the maximum total payment obligation for the life of such enforceable obligation.

The initial ROPS 3 was prepared in the format received from the CAC on February 15, 2012 and is the same format used for ROPS 1 and ROPS 2. AB 1484 now requires the Successor Agency to submit each future ROPS in a format approved by the DOF. For a period of about two weeks starting in mid-July 2012, the sample ROPS previously posted on the DOF website had been removed and replaced by a comment indicating a revised sample ROPS will be forthcoming.

Successor Agency staff thus prepared ROPS 3 using the February 15 sample for purposes of bringing ROPS 3 to the Successor Agency's board (i.e., the City Council) on July 31, 2012, before its summer legislative recess. On or about August 1, 2012, the DOF posted an updated sample ROPS on its website. The DOF further revised the ROPS 3 template on or about August 9, 2012, and posted follow-up guidance to its website on August 23, 2012 (the guidance document is dated August 22, but was released on August 23). While ROPS 3 in its current form has been prepared using the DOF's latest template, staff is still

reviewing the guidance provided by the DOF on August 23, 2012 to determine whether any additional changes to ROPS 3 may be required. As part of the proposed action approving ROPS 3, the Oversight Board is being asked to authorize any necessary adjustments to ROPS 3 based on the recent changes made by the DOF to the mandatory ROPS format as well as the guidance provided by the DOF on August 23, provided that the substantive content of ROPS 3 remains substantially the same.

Under AB 1484, a ROPS is not considered valid until the following conditions have been met:

- The ROPS is prepared by the Successor Agency and submitted to the Oversight Board;
- The Oversight Board approves the ROPS;
- The ROPS is then submitted to the CAC, DOF and State Controller; and
- The DOF's initial review period of five business days has expired or, if the DOF timely requests a review, the DOF has approved the ROPS with any deletions or revisions during a 45-day review period, subject to the potential meet-and-confer process between the DOF and the Successor Agency as described above.

Successor Agency ROPS 3 Administrative and Project Management Budget The Successor Agency ROPS 3 Administrative and Project Management Budget ("ROPS 3 Budget") is approximately \$4.2 million for ROPS 3. The budget is segregated by administrative costs and project management costs. The administrative cost portion of the budget is approximately \$2.8 million and the project management portion of the budget is approximately \$1.4 million. Further details of the ROPS 3 Budget can be found in Attachment B - ROPS 3 Administrative and Project Management Budget. The ROPS 3 Budget is funded with \$2,312,172 of 3% administrative cost allowance and \$1,883,328 of funds on hand from the Former RDA. Pursuant to the Successor Agency's policies and procedures adopted by the Successor Agency on February 13, 2012, the Successor Agency's administrative function will be coordinated through the Office of the Mayor and carried out by either City Staff or employees of a City-owned nonprofit public benefit corporation.

Pursuant to H&S Code Section 341770), the Successor Agency is required to adopt and propose an administrative budget to the Oversight Board for its approval. The proposed budget must include: (1) estimated amounts for the Successor Agency's administrative costs for the upcoming six-month period; (2) proposed sources of payments for the cost identified; and (3) proposals for arrangements for administrative and operations services provided by a city or other entity. The Successor Agency can receive, as an administrative cost allowance, three percent of the amount disbursed by the CAC to the Successor Agency from the RPTTF. ROPS 3 shows that the amount of administrative cost allowance to be disbursed by the CAC to the Successor Agency will be approximately \$2,312,172. Based on guidance provided by the DOF and the current language in the Dissolution Laws, the Successor Agency is allowed to fund its administrative function beyond the three percent administrative allowance with any funds on hand such as bond proceeds or from other sources of the Former RDA, and project management costs associated with the implementation of enforceable obligations are deemed project-specific expenses and are not counted against the three percent administrative cost allowance.

As outlined in H&S Code Section 34177, the purpose of the Successor Agency's administrative function is the orderly wind down of the Former RDA's affairs and includes such functions as: making payments on enforceable obligations; maintaining any required reserves amounts; performing obligations required by enforceable obligations; disposing of assets and properties; enforcing all of the Former RDA's rights; expeditiously winding down the Former RDA's affairs; and preparing each ROPS and accompanying administrative budget. The table below provides a comparison of the proposed ROPS 3 Budget to the approved ROPS 2 administrative budget.

Expenditure	ROPS 3 Amount	ROPS 2 Amount	Change
Legal/Litigation Services	\$ 555,000	\$ 555,000	\$ 0
Financial/Debt Services	\$ 135,000	\$ 200,000	(\$ 65,000)
Accounting Services	\$ 270,000	\$ 270,000	\$ 0
Real Estate Services	\$ 136,000	\$ 50,000	\$ 86,000
Admin./Project Mgmt. Support	<u>\$3,099,500</u>	<u>\$2,397,000</u>	<u>\$ 702,500</u>
Total	<u>\$4,195,500</u>	<u>\$3,472,000</u>	<u>\$ 723,500</u>

The reduction in Financial/Debt Services is based on a revised estimate of the amount of bond funds invested by the City Treasurer, as well as a reduction of 5 basis points in the amount charged by the City Treasurer's Office to the Successor Agency on the amount of funds invested by the City Treasurer's Office, based on input provided by the Oversight Board in connection with the ROPS 2 administrative budget. The increase in Real Estate Service is representative of 1.5 FTE to support the requirements under AB 26 and 1484. The ROPS 2 budget provides a \$50,000 provision only. The \$489,000 increase in Administrative/Project Management Support is primarily attributable to the allocation of City GGSB typically assessed in January as well as the addition a 2 FTE from the Economic Growth Services Department for services provided by two City employees who have previously worked on behalf of the Former RDA and will assist in the wind down activities related to both administrative and project management functions. Authority to Enter into Contracts for Budgeted Expenses H&S Code Section 34171 (d)(1)(F) confirms that contracts necessary for the administration or operation of the Successor Agency, including, but not limited to, agreements concerning litigation expenses related to assets or obligations, settlements and judgments, and agreements related to the costs of maintaining assets prior to disposition, are enforceable obligations. In addition, H&S Code Section 34177 .3(b) states that the Successor Agency may create new enforceable obligations to conduct the work of winding down the Former RDA's operations, including hiring staff, acquiring necessary professional administrative services and legal counsel, and procuring insurance.

The Successor Agency anticipates, based on the past experience of the Former RDA, that certain circumstances, while presently unforeseen, may arise in the future that will cause the Successor Agency to incur additional costs for management and security of properties and other assets, and unforeseen litigation and claims, above and beyond the costs estimated in specific line items in ROPS 3. As such, ROPS 3 includes a line item for costs of this nature up to an aggregate maximum of \$500,000 during the applicable six-month period (Line 474), although such costs are not yet identified under an existing contract with a specific payee.

The Successor Agency further anticipates, based on the past experience of the Former RDA, that certain circumstances, while presently unforeseen, may arise in the future that cause the Successor Agency to incur other additional expenses, above and beyond the expenses shown in ROPS 3, in order to wind down the Redevelopment Agency's operations in an orderly fashion and to avoid or minimize liabilities, including, but not limited to, exposure to claims or litigation. Before its dissolution, the Former RDA could rely upon a steady stream of tax increment revenue and reserve balances to address any unforeseen circumstances. Now that the Former RDA has dissolved and the stream of revenue has been substantially altered, the Successor Agency believes it is prudent to retain a contingency amount to address unforeseen circumstances, consistent with generally accepted accounting practices. As such, ROPS 3 includes a line item for costs of this nature up to an aggregate maximum of \$500,000 during the applicable six-month period (Line 475), although such costs are not yet identified under an existing contract with a specific payee.

As part of this proposed action, the Oversight Board is being asked to authorize the Successor Agency to enter into services contracts, management contracts and similar contracts, and amendments to existing contracts of that nature, for items that are budgeted in the approved ROPS 3, consistent with California

Health and Safety Code Sections 34171(d)(1)(F) and 34177.3(b). This streamlined approach will allow the Successor Agency to operate in an efficient manner and to address unforeseen circumstances without delay, thereby minimizing the Successor Agency's exposure to new claims and liabilities, to the benefit of the local taxing entities. Before this streamlined approach can be used, both the Oversight Board and the DOF will need to approve ROPS 3.

Conclusion

The Oversight Board is respectfully requested to approve ROPS 3, the ROPS 3 Budget, and associated actions as described above.

Public Comment in favor provided by: Virginia Martin, Jennifer Finnegan, Anna Orzel – Arnita, Frank Riley, Daniel Smith, Jay Wilson, Bill Keller, Gary Smith, Brian Pollard, Robert Ito, Bahija Hamraz, Laura Garrett, Ricardo Flores, Scott Bohres, Todd Blakesley, Monica Ball, Matt Adams, Robert Tambazi, Noor Kazmi, Rachel Jense, Ardelle Mathews, Kieth Carry

Public Comment in opposition provided by: James Mellos II

BOARD ACTION: Action Time: 2:52 PM

MOTION BY MARK NELSON TO ADOPT A BIFURCATED RESOLUTION WITH THE INCLUSION OF THE RESERVATION OF RIGHTS LANGUAGE INCLUDED BELOW, WHEREIN MOTION 1; THE OVERSIGHT BOARD APPROVES THE LINE ITEMS IN ROPS 3 SHOWING SAN DIEGO GAS & ELECTRIC AND/OR SEMPRA ENERGY AS THE PAYEE OF AN ENFORCEABLE OBLIGATION AND MOTION 2; THE OVERSIGHT BOARD APPROVES ALL OTHER ACTION ITEMS ADDRESSED IN THE RESOLUTION, WITH THE EXCEPTION OF THE ITEM ADDRESSED IN THE FIRST MOTION. Second by Maureen Stapleton.

Reservation of rights: the Oversight Board approves the items listed in the payment schedule for the ROPS, but reserves the right to revisit those items in the future based on any objections or questions subsequently raised by the County Auditor-Controller, the State Department of Finance, any member(s) of the public, and any member(s) of the Oversight Board

1st Motion Passed by the following vote:

Yea: Andra Donovan, Maureen Stapleton, , Ron Roberts, Peter Q. Davis,

Nay: (None);

Recused: Mark Nelson, James Davies.

Not Present: Bonnie Ann Dowd.

2nd Motion Passed by the following vote:

Yea: Andra Donovan, Maureen Stapleton, Mark Nelson, Ron Roberts, Peter Q. Davis, James Davies

Nay: Peter Q. Davis.

Recused: (None);

Not Present: Bonnie Ann Dowd.

Non-agenda public comment provided by: Robert C. Leif (Ph. D)

ADJOURNMENT:

The meeting was adjourned by Chair Mark Nelson at 2:52 p.m.