

**COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD
REGULAR MEETING**

November 16, 2023, 10:00 A.M.

AT 1600 PACIFIC HIGHWAY, SAN DIEGO, ROOM 302

MINUTES

Attendance by Virtual Meeting made available

[Zoom Link:](#)

Phone Option: 1-669-900-9128; Webinar ID: 827 1364 5735

- A. Call to Order at 10:06 a.m.
- B. Roll Call/ Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) pursuant to Assembly Bill 2449 by an Oversight Board Member (*if necessary and applicable*)

PRESENT: Board Members: Brian Hagerty, Patrick Sanchez, Corinne Wilson and Samuel Merrill

ABSENT: Scott Buxbaum, Dr. Kelly Hall and Mayor Rebecca Jones

Other Attendees: Corrin Phillip, Attorney at Law; Claire Lai, Attorney at Law and Charissa Japlit, Assistant Group Finance Director.

- C. Pledge of Allegiance
- D. Approval of Statement of Proceedings / Minutes of September 21, 2023

On motion of Chair Hagerty and seconded by Member Wilson, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD approved the minutes of the September 21, 2023, meeting. Oversight Board staff did a roll call vote of each OB member to indicate approval or non-approval. Motion passed.

AYES: Hagerty, Sanchez, Merrill and Wilson

- E. Formation of Consent Calendar
Items to which no opposition has been expressed by the public or this body may be placed on the Consent Calendar to be voted on without discussion.
No items were placed on the consent calendar.

- F. Public Communication Speakers: Members of the public may address the Oversight Board on subject matters within the Board's jurisdiction, but not an item on this agenda.

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcounty.ca.gov/community/san-diego-county-oversight-board.html> or in the Health & Human Services Agency's Financial & Support Services Division, 1255 Imperial Avenue, 6th Floor, San Diego, CA 92101.

ASSISTANCE FOR THE DISABLED:

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Comments for items on this agenda will be taken as each item comes up. Each speaker is limited to three minutes. *No comments were received by the Board or were presented at the meeting*

G. Discussion Item(s)

1. Amendment No. 2 to the Professional Services Agreement with Meyers Nave to modify the approved contract budget and rates

Chair Hagerty and Ms. Japlit provided background and opened discussion to the Board, a summary of which is provided here:

Ms. Japlit stated that this item is amendment #2 to the professional services agreement for Meyers Nave to modify the approved contract. The proposed amendment is to increase the current contract amount from \$100,000 to \$125,000 in order to meet the continued legal support and this reflects a \$25,000 increase over the current contract amount.

She added that this contract was originally set at not to exceed 50,000 in 2018 by the County of San Diego County Counsel. Four years later and upon approval by the Oversight Board, it was amended for the first time in 2022, and this amendment increased the overall budget to \$100,000. The current contract budget amount and the primary driver for that increase is related to the increase in the hourly rate in order to get the contractor to market rate. Since the initiation of that contract in 2018 and today, the increase is not only a reflection of the increased hourly rate, but also the impacts of the increased workload tied to the Liberty Station lawsuit.

Chair Hagerty added that this is an open-ended contract and does not have a specific end date. Per County Admin Code Section 142, when the County Counsel determines that there is a need to obtain specialized legal services which are not available within the Office, the County Counsel is authorized by the Board of Supervisors to obtain, and shall be responsible for obtaining, appropriate outside counsel to provide the necessary expertise and specialized legal services required by the particular matter, which is what we've done here. Within a year and a half to two years, we may need another contract increase and we'll probably also visit the hourly rates. The initial contract wasn't brought to the board since the board did not exist at the time.

Member Merrill asked if part of the increase is tied to the Liberty Station lawsuit. Chair Hagerty responded by reading an excerpt from Meyers Nave communication, "In March of 2022, Seligman Liberty Station LLC, which we'll call Seligman, filed a writ of mandate

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petition against the city of San Diego Successor Agency, this oversight board and various real parties in interest. As of September 29th, 2023, the court issued a final ruling. The court granted Seligman no relief regarding the oversight Board and real parties and interest. There's still a continuing process moving along with the city, but as far as this oversight board, this litigation matter is concluded.”

Member Sanchez asked if Meyers Nave is the Oversight Board Counsel and Chair Hagerty confirmed it.

2. Review of upcoming Recognized Obligation Payment Schedule (ROPS) process

Chair Hagerty provided background and opened discussion to the Board, a summary of which is provided here:

“In your folder is an example of last year's summary that we prepare as we head into our recognized obligation payment schedule approval process in January.

- Remind all the successor agencies (SAs) of the timing when they must turn all the documents in for us to review.
- SAs do all their data entry directly into a computer system run by the California Department of Finance,
- Output from DOF system is fed into our comparison template so we can see what changed from prior year and why.
- Our analysis tools allow us to see in a quick way where the ups and downs are happening what we should concentrate our review on.
- The physical ROPS binder and electronic copy will be delivered to the OB members to review days in advance before the January OB meeting.
- The common questions on the ROPS are:
 - how much of the ROPS are dedicated or related to the bonds and how much is not?
 - Is the admin budget within the 3% of the ROPS limit
- The lion's share of the obligations tends to be bond related.
- Although not required by health and safety code law, most SAs prefer to go to their respective city and get approval of the ROPS before they go to the Oversight Board.
- We will not move the January 18th meeting for variety of reasons. If we go later, we lose the cushion that we need to resolve issues and if we go any earlier, we run

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into issues with the successor agencies trying to get on with the agendas for their own cities in the first half of January.”

- Member Sanchez confirmed that he is available on January 18. County staff will resend poll regarding January meeting date to make sure that the OB has a quorum.
- The agenda, audio and meeting minutes for the 2023 ROPS meeting are available online for OB members to review

H. Action Item(s)

Adopt a resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MEYERS NAVE TO MODIFY THE APPROVED CONTRACT BUDGET

On motion of Chair Hagerty and seconded by Member Merrill, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD approved A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH MEYERS NAVE TO MODIFY THE APPROVED CONTRACT BUDGET. *Oversight Board staff did a roll call vote of each Board member to indicate approval or non-approval during the virtual meeting. **Motion passed.***

AYES: Hagerty, Sanchez, Merrill and Wilson

I. Communications Received:

J. Future Agenda Item(s): Review of FY 24-25 ROPS for 17 Successor Agencies

K. Set Future Meeting Date(s): December 21, 2023, 10:00 a.m., January 18, 2024, 10 a.m., February 15, 2024, 10:00 a.m., March 21, 2024, 10:00 a.m.

L. Adjournment at 10:26 a.m.

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