

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

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MINUTES

West Covina City Council Chambers
1444 West Garvey Avenue, West Covina, CA 91790

Regular Meeting - Thursday, May 1, 2014

Audio recording of meeting is available upon request from the West Covina City Clerk's Office.

I. CALL TO ORDER:

Meeting was called to order at 4:01 p.m. by Chairperson Sutkin

Roll Call Chairperson Sutkin
Board Member Chavez, Coghlan, Gregoryk, Hertzberg, Lee, Lewis

Absent: Board Member Lewis

Staff: City Manager/Executive Director Chung, Finance Director McKay,
Project Manager Morales, Oversight Board Secretary Rush, Attorney
Harper

Pledge of Allegiance led by Board Member Sutkin.

II. CHANGES TO AGENDA

Executive Director Chung stated that Item No. 6, Closed Session, will be pulled from the agenda. Chung stated that this item will be brought forth in the event there is an understanding with the parties involved.

Board Member Hertzberg inquired what the role of the Oversight Board is regarding the matter and requested that material on the subject is provided for review prior to the meeting.

III. PUBLIC COMMENT

Lloyd Johnson, West Covina resident, distributed Engagement Agreement with Squires Sanders to board members and addressed the validity of the contract since it is not signed by the Mayor and addressed the settlement agreement with Hassen Imports Partnership.

Philip Moreno, West Covina resident, stated that he made a request last year for an audit of the Redevelopment Agency and also addressed the agreement between the Squire Sanders and the City of West Covina.

IV. CONSENT CALENDAR

A. **Approval of Minutes (receive and file)**

Regular Meeting Minutes of February 6, 2014

B. **Department of Finance Correspondence**

Recommendation is that the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency receive and file this report.

ACTION ON CONSENT CALENDAR

Motion by Gregoryk and seconded by Hertzberg to approve all items on the Consent Calendar as presented.

Motion carried 6-0

V. BUSINESS ITEMS(S)

A. **Request to Change Date and Time of Meeting**

Executive Director Chung introduced the item. Chairperson Sutkin stated the first Thursday of the month creates a conflict with another obligation she has. Following discussion of alternate dates, it was the consensus of the Board Members and staff to hold the meetings on the third Thursday of the month with the time remaining at 4:00 p.m.

Motion by Gregoryk and seconded by Hertzberg to change the day of the meetings to the third Thursday of the month, with the time remaining at 4:00 p.m.

Motion carried 6-0.

Executive Director Chung clarified that a resolution would return to incorporate the change.

B. **Request to Incorporate an Annual election Process for the Chairperson and Vice-Chairperson**

Executive Director Chung introduced the item. Board Member Lee stated a rotation process was not put in place when the by-laws were adopted and suggested an annual rotation for chairperson and vice-chairperson. Board Members concurred to put a process in place. Chung asked the Board if they would like staff to bring back a proposed process. Council discussion ensued.

Motion by Hertzberg and seconded by Gregoryk to direct staff to bring a change in the by-laws reflecting an annual election in June of each year electing a chair and vice chair at that time.

Motion carried 6-0.

VI. CLOSED SESSION

This item was pulled from the agenda at the beginning of the meeting.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code § 54956.9(d)(1)

City of West Covina v. Hassen Imports Partnership, et al.

Los Angeles Superior Court Case No. KC048157

In re Hassen Imports Partnership, Debtor, United States Bankruptcy Court Case No.

2:11-bk-42068-ER

In re Hassen Imports Partnership, Debtor, United States District Court Case No. 2:13-cv-07532-CAS

VII. BOARD MEMBER COMMENTS

Board Member Gregoryk inquired as to signature authority of contracts and agreement in City Governance. Chung provided a brief background of Government Code requirements for general law cities.

Board Member Hertzberg addressed the process in which board members can put an item on the agenda and the role of the chair of approving agendas and cancelation of meetings. Hertzberg requested to agendaize consideration of changes to the by-laws such as the chair being required to approve the final agenda, as well as the establishment of meetings or cancelation of meetings.

Chairperson Sutkin reiterated Hertzberg’s request as to also setting the agenda and communication between the chair and the clerk as canceling a meeting when there is no business to conduct, or to set a special meeting if there is a need prior to such action being taken.

Board discussed the by-law requirement that Board Member requests to agendaize an item must receive a majority vote of the Board to move forward. It was the consensus of the Board to be allowed to vote for majority consideration to put an item on the agenda.

Motion by Hertzberg and seconded by Gregoryk [to add to the agenda Hertzberg’s request to change the by-laws such as the chair being required to approve the final agenda, as well as the establishment of meetings or cancelation of meetings].

Motion carried 6-0.

Chair Sutkin stated that by voting to put the item on the agenda, a resolution will return with the report at the next meeting in order to take action.

VIII. ADJOURNMENT

Motion by Gregoryk and seconded by Hertzberg to adjourn the meeting at 4:36 p.m.

Submitted by



Susan Rush, Oversight Board Secretary