

**MINUTES
SPECIAL MEETING OF THE
ORANGE COUNTYWIDE OVERSIGHT BOARD**

February 23, 2022, 8:30 a.m.

1. CALL TO ORDER

A special meeting of the Orange Countywide Oversight Board was called to order at 8:34 a.m. on February 23, 2022 via Zoom Webinar by Vice Chairman Steve Jones, presiding officer.

Present:	6	Chairman:	Brian Probolsky
		Vice Chairman:	Steve Jones
		Board Member:	Anil Kukreja
		Board Member:	Dean West
		Board Member:	Charles Barfield
		Board Member:	Steve Franks
		Board Member:	Phil Yarbrough (Arrived at Item 5)

Absent: 0

Also Present: Also present, Kathy Tavoularis, Staff and Clerk of the Board; Patrick “Kit” Bobko, Legal Counsel; Chris Nguyen, Consultant; Cameron Wessel, Consultant; Joe Sturges, Staff; Susan Kim, City of La Habra; Elizabeth Hull, City of La Habra

2. PLEDGE OF ALLEGIANCE

Vice Chairman Jones led the group in the Pledge of Allegiance.

3. ADOPT RESOLUTION CONCERNING TELECONFERENCED MEETINGS DURING STATE OF EMERGENCY

Consultant Nguyen stated that the resolution allowing the continuation of teleconference meetings would last through March 25th. Board Member West moved and Vice Chairman Jones seconded to adopt the Resolution concerning teleconferenced meetings during the state of emergency. Roll call vote:

YES – Probolsky, Jones, Barfield, Franks, Kukreja, West
NO – N/A
Absent – Yarbrough

4. APPROVAL OF THE MINUTES FROM JANUARY 25, 2022 REGULAR MEETING

Board Member Franks moved and Board Member Kukreja seconded to approve the minutes from the January 25, 2022 Regular Meeting. Roll call vote:

YES – Probolsky, Jones, Franks, Kurkreja, West
NO – N/A
Abstention – Barfield
Absent – Yarbrough

5. CONTRACT RENEWAL FOR DYNAMIC STRATEGIES

Board Member Yarbrough arrived at the start of this item.

Board Member Kukreja moved and Board Member Barfield seconded to renew the contract for consulting services to the Oversight Board by Dynamic Strategies. Roll call vote:

YES – Probolsky, Jones, Barfield, Franks, Kukreja, West, Yarbrough

NO – N/A

Absent – N/A

6. UPDATE – LA HABRA SUCCESSOR AGENCY ASSET

Consultant Nguyen stated that the La Habra City Council, acting as the board of the Successor Agency, met last night regarding the parking lot, and public information on the Successor Agency's direction was not available on the web site, but that La Habra staff were present.

La Habra Director of Community and Economic Development Susan Kim and Special Counsel Elizabeth Hull provided an update from the Successor Agency. They stated staff will be recommending that the La Habra Successor Agency transfer ownership of the parcel back to the City of La Habra. La Habra could bring the proposal to the City Council by March 21, 2022, in advance of the Oversight Board's next regular meeting in April.

Board Member West asked if redesignating the property's usage for government use would allow for the property to be able to be purchased back from the Successor Agency.

Elizabeth Hull stated the City could use it for parking without compensation for the Successor Agency.

Board Member West asked if the parking lot could be used for businesses with the usage redesignation.

Elizabeth Hull stated that it would be allowed to be used for public parking.

Chairman Probolsky asked for clarification on the definition of public in this case.

Susan Kim stated that it would be solely public parking according to the grant deed.

Board Member West noted that a revision would require an action item by the Oversight Board.

Chairman Probolsky asked if the City and the property owner could change the use limitations without action by the Oversight Board.

Elizabeth Hull stated that would be outside the zoning code.

Chairman Probolsky stated that he is concerned that the usage would change again later, allowing the land to be developed on.

Elizabeth Hull stated that the parking lot would need to remain as a parking lot as long as the shopping center adjacent to it exists.

Board Member Yarbrough stated that the City of La Habra sold the property to the redevelopment agency in 1990 for \$2.5 million. If the City is not willing to purchase the property back, then he would like to see it sold to the highest bidder. He asked if the City is interested in purchasing the property back.

Susan Kim stated that the City of La Habra is looking to transfer the property from the Successor Agency to the City without purchasing it.

Board Member Yarbrough repeated that he would like to see the property sold to the highest bidder.

Chairman Probolsky stated that since the City Council had taken some action on the property in closed session the night prior with plans to take further action in a future open session, he would be willing to wait to see what they bring to the Oversight Board in April.

Board Member Yarbrough pointed out that the City has done nothing for years on the parcel and taken no action.

Board Member West clarified there is no action item on this property today.

Board Member Franks stated he would like to obtain the Oversight Board Counsel's legal opinion about the Oversight Board's options on how to intervene on the property.

COMMENTS & ADJOURNMENT:

PUBLIC COMMENTS:

None.

STAFF COMMENTS:

Consultant Nguyen reminded the Board that each Board Member's Form 700 is due on April 1st, and should be submitted electronically via an individualized link which had been emailed to the Board Members. He further added that the next regular meeting is April 19, 2022, however a special meeting may be required by March 25, 2022 if the Oversight Board will be meeting remotely in April.

BOARD COMMENTS:

Board Member Kukreja commented on his desire to receive clarity from the La Habra Successor Agency concerning the parking lot.

Vice Chairman Jones stated his preference that the next meeting take place remotely.

Chairman Probolsky stated his support of remote meetings, but does not find that feasible after the California State of Emergency is lifted.

Board Member West stated that he sees the value of remote meetings, but if the emergency rules are lifted, he feels that meetings should take place in person.

Chairman Probolsky announced that the Board would recess to Closed Session.

CLOSED SESSION:

CS-1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –
INITIATION OF LITIGATION – Pursuant to Government Code Section 54956.9(d)(4): Number
of Cases: One

There was no reportable action.

ADJOURNMENT

Returning from Closed Session, Vice Chairman Jones moved to adjourn the meeting at 9:05 a.m.

BRIAN PROBOLSKY
CHAIRMAN OF THE COUNTYWIDE OVERSIGHT BOARD

KATHY TAVOULARIS
CLERK OF THE BOARD

DATE