

**MINUTES
REGULAR MEETING OF THE
ORANGE COUNTYWODE OVERSIGHT BOARD**

January 23, 2024, 8:30 AM

1. CALL TO ORDER

The regular meeting of the Orange Countywide Oversight Board was called to order at 8:33 AM on January 23, 2024, by Vice Chairman Dunlap, acting as presiding officer.

Present:	4	Vice Chairman:	Nicholas Dunlap
		Board Member:	Louis McClure
		Board Member:	Dean West
		Board Member:	Phillip E. Yarbrough
Absent:	3	Chairman:	Brian Probolsky
		Board Member:	Charles Barfield
		Board Member:	VACANT

Also present: Kathy Tavoularis, Staff and Clerk of the Board; Patrick “Kit” Bobko, Legal Counsel; Chris Nguyen, Consultant; Cameron Wessel, Consultant.

2. PLEDGE OF ALLEGIANCE

Board Member Yarbrough led the Pledge of Allegiance.

3. APPROVAL OF THE MINUTES FROM JANUARY 16, 2024, REGULAR MEETING

Board Member Yarbrough moved and Board Member West seconded to approve the minutes from the January 16, 2024, Regular Board meeting.

YES – Dunlap, McClure, West, Yarbrough
NO – None
ABSENT – Probolsky, Barfield

ADD EMERGENCY CLOSED SESSION ITEM TO AGENDA

Clerk Tavoularis reported that an emergency Closed Session item had been added to the Meeting Agenda.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION –
Pursuant to Government Code Section 54956.9(d)(2): Number of Cases: One
Case

Counsel Bobko reported that he received a letter the night before this meeting from Salvador C. Martinez Inc. threatening anticipated litigation that necessitated the addition of this emergency Closed Session. He also announced that copies of the letter were available at the meeting for any members of the public who wished to obtain one.

4. ADOPT RESOLUTIONS REGARDING REQUESTS BY SUCCESSOR AGENCIES FOR ANNUAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) AND ADMINISTRATIVE BUDGET

Board Member West moved and Board Member McClure seconded to pull Items 4E (Fullerton) and 4I (San Juan Capistrano) for separate discussion.

YES – Dunlap, McClure, West, Yarbrough
NO – None
ABSENT – Probolsky, Barfield

Board Member Yarbrough moved and Board Member McClure seconded to approve all of the other ROPS 24-25 in item 4:

4A. Anaheim
4B. Buena Park
4C. Costa Mesa
4D. County of Orange
4F. La Habra
4G. Orange
4H. Placentia
4J. Santa Ana

YES – Dunlap, McClure, West, Yarbrough
NO – None
ABSENT – Probolsky, Barfield

Item 4E – Fullerton

Board Member West asked about lines 11 and 62, related to the Miller Trust, which expire in FY 24-25. He also asked why line items 23 and 28 were included in the

Fullerton ROPS despite having been denied in the past, and he also noted that line 23 is listed as not expiring until the year 2098.

Taylor Samuelson, Senior Administrative Analyst from the Fullerton Community and Economic Development Department, described the background and obligations with the Miller Trust for line items 11 and 62.

Bill Irke of Rutan & Tucker, legal counsel for the Fullerton Successor Agency, stated that line items 23 and 28 were kept in the ROPS in case there is a future reversal on the Department of Finance denials, but he stated Fullerton would not object if the Oversight Board would like those line items removed, provided that Fullerton could add them back in future ROPS if the denial is changed in the future or if future funding is secured.

Board Member West noted that the functions from line items 23 and 28 are now the responsibility of the City of Fullerton, not the Fullerton Successor Agency, according to the letters from the Department of Finance.

Board Member West moved and Board Member Yarbrough seconded to approve Item 4E (Fullerton ROPS 24-25) with an amendment to remove line items 23 and 28.

YES – Dunlap, McClure, West, Yarbrough

NO – None

ABSENT – Probolsky, Barfield

Item 4J – San Juan Capistrano

Board Member West commented about the responsibility of selling and liquidating properties and sending money to the taxing agencies and asked about letters from the Department of Finance that noted excessive administrative costs that the Oversight Board should scrutinize.

Ken Al-Imam, Chief Financial Officer for San Juan Capistrano, noted that San Juan Capistrano took the comments very seriously from the Department of Finance letters to reevaluate the administrative costs. San Juan Capistrano took extra measures to reduce those costs this year and evaluate further reductions in future years. Mr. Al-Imam is hopeful that San Juan Capistrano will be able to submit a Last and Final ROPS within the next two years.

Board Member West moved and Board Member Yarbrough seconded to approve Item 4J (San Juan Capistrano ROPS 24-25).

YES – Dunlap, McClure, West, Yarbrough

NO – None

ABSENT – Probolsky, Barfield

5. ADOPT RESOLUTION REGARDING REQUEST BY SUCCESSOR AGENCY FOR LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)

A. Placentia

Board Member Yarbrough moved and Board Member West seconded to adopt the resolution approving Placentia's submission for Last and Final ROPS.

YES – Dunlap, McClure, West, Yarbrough

NO – None

ABSENT – Probolsky, Barfield

6. RECEIVE AND FILE REPORT ON TITLE STATUS OF FULLERTON SUCCESSOR AGENCY PARCELS – *Informational Item Only: No Action To Be Taken*

Taylor Samuelson, Senior Administrative Analyst from the Fullerton Community and Economic Development Department, reported on nine remnant properties that Fullerton investigated from its redevelopment files and title searches.

Consultant Chris Nguyen described the significant turnover in Fullerton's staff. He thanked Mr. Samuelson for his diligent work in tracking down the remnant properties and reporting to the Oversight Board.

CLOSED SESSION

CS-1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Pursuant to Government Code Section 54956.9(d)(2):
Number of Cases: One Case

There was no reportable action from Closed Session.

COMMENTS & ADJOURNMENT:

PUBLIC COMMENTS:

None.

STAFF COMMENTS:

None.

BOARD COMMENTS:

Board Member West thanked Kathy Tavoularis and the City of Orange for making City Council Chambers available for the Oversight Board Meetings.

ADJOURNMENT

Vice Chairman Dunlap adjourned the meeting at 9:34 AM.

NICHOLAS DUNLAP
VICE CHAIRMAN OF THE COUNTYWIDE OVERSIGHT BOARD

KATHY TAVOULARIS
CLERK OF THE BOARD

DATE