

SAN MATEO COUNTY COUNTYWIDE OVERSIGHT BOARD MEETING

REVISED AGENDA

Tuesday, July 31, 2018 at 1:00 p.m.
400 County Center, 1st Floor
Board of Supervisors Chambers
Redwood City, California 94063

1. Call to Order (Controller's Staff)
2. Roll Call (Controller's Staff)
3. Welcome and Introductions (Controller's Staff)
4. Oral Communications and Public Comment (Controller's Staff)
This is an opportunity for members of the public to address the Oversight Board on any Oversight Board-related topics that are not on the agenda. If your subject is not on the agenda, the individual chairing the meeting will recognize you at this time. Speakers are customarily limited to two minutes.
5. **Action to Set the Agenda**
6. Overview of Countywide RDA Dissolution Process and Current Status of RDA Dissolution within the County (Controller's Staff)
7. Review of the Brown Act, Political Reform Act, and Potential Training (County Counsel)
8. Discussion and Potential Approval of Conflict of Interest Code and Submission to Code Reviewing Body (Controller's Staff & County Counsel)
9. Election of Chair and Vice-Chair (Controller's Staff & County Counsel)
10. Discussion of Items for Further Consideration at Next Countywide Oversight Board Meeting, Direction to Staff Regarding Potential Oversight Board Legal Counsel **and Board By-Laws, and Potential Approval of Ad-Hoc Committee(s) Regarding Selection of Legal Counsel and Development of By-Laws**
11. Discussion and Approval of the FY 2018-19 Regular Meeting Schedule
12. Adjournment

A copy of the Countywide Oversight Board agenda packet is available for review from the Clerk of the Board of Supervisors, 400 County Center, 1st Floor, Monday through Thursday 7:30 a.m.-5:30 p.m. and Friday 8 a.m.-5 p.m.

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings

that may be distributed at the meeting, should contact Sukhmani Purewal, Assistant Clerk of the Board of Supervisors, at least two working days before the meeting at (650) 363-1802 and/or spurewal@smcgov.org. Notification in advance of the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees to this meeting are reminded that other attendees may be sensitive to various chemical based products.

San Mateo County Countywide Oversight Board

July 30, 2018

Revised Agenda Item #8

TO: San Mateo County Countywide Oversight Board

FROM: Shirley Tourel, Assistant Controller

SUBJECT: Adoption of Conflict of Interest Code for the Countywide Oversight Board

Overview/Background:

The Political Reform Act (California Government Code 81000 *et seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (“FPPC”) has adopted a regulation, Cal. Code of Regs, Title 2, Division 6, Section 18730, which contains the terms of a standard conflict of interest code. Each local governmental agency is allowed to incorporate those terms by reference, including future amendments made by the FPPC, into its own conflict of interest code.

California Health and Safety Code 34179(j) established countywide oversight boards throughout the state in each county in which former redevelopment agencies are still in the process of dissolution. The Countywide Oversight Board for San Mateo County (the “Oversight Board”) takes the place of the thirteen Successor Agency oversight boards that were in existence prior to July 1, 2018. Pursuant to the dissolution statutes, the Oversight Board is deemed a local entity for purposes of the Political Reform Act and the regulations promulgated thereunder by the FPPC.

At this time, staff is proposing a conflict of interest code that incorporates the standard terms adopted by the FPPC, which require that each agency, by appendix to its conflict of interest code designate: (a) the employment positions (including board member positions) whose duties require the employees serving in such positions to disclose certain economic interests; and (b) the categories of economic interests that the employees must disclose.

Recommendation:

Staff recommends that the Oversight Board approve the Resolutions adopting the proposed conflict of interest code attached thereto as Exhibit A and authorize submission of the approved conflict of interest code to the Board of Supervisors as the code reviewing body.

RESOLUTION NO. 2018-_____

**RESOLUTION OF THE SAN MATEO COUNTY COUNTYWIDE
OVERSIGHT BOARD ADOPTING THE CONFLICT OF INTEREST CODE**

WHEREAS, California Health and Safety Code Section (HSC) 34179(e) requires all action items of Countywide Oversight Boards, including the San Mateo County Countywide Oversight Board (the "Oversight Board"), be accomplished by resolution; and

WHEREAS, in accordance with Senate Bill No. 107 (SB 107), HSC Section 34179(j), the thirteen oversight boards currently in place in San Mateo County have consolidated into one Countywide Oversight Board effective July 1, 2018; and

WHEREAS, the Oversight Board shall be deemed a local entity for the purposes of the Ralph M. Brown Act (Brown Act), the California Public Records Act, and the Political Reform Act of 1974; and

WHEREAS, the Political Reform Act of 1974 and the regulations issued by the Fair Political Practices Commission (FPPC) requires the adoption of a Conflict of Interest Code to establish which officials, employees and consultants are required to file Statements of Economic Interests (FPPC Form 700);

NOW, THEREFORE, BE IT RESOLVED, the San Mateo County Countywide Oversight Board hereby approves and adopts the Conflict of Interest Code of the San Mateo County Countywide Oversight Board in the form presented as Exhibit A hereto, together with such changes thereto as may be approved by the San Mateo County Countywide Oversight Board; and

BE IT FURTHER RESOLVED, that staff is hereby authorized and directed to submit the approved conflict of interest code to the Board of Supervisors as the code reviewing body.

* * *

Exhibit A

CONFLICT OF INTEREST CODE

San Mateo County Countywide Oversight Board
400 County Center, 1st Floor
Redwood City, CA 94063

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission ("FPPC") has adopted a regulation, California Code of Regulations, Title 2, division 6, Section 18730 (hereinafter "CCR 18730"), which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of CCR 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference and, along with the attached document in which members and employees are designated and disclosure schedules are set forth, constitute the conflict of interest code of the San Mateo County Countywide Oversight Board.

Designated filers shall file statements of economic interests with the agency. Upon receipt of such statements of economic interests, the agency shall make and retain a copy and forward the original of these statements to the Clerk of the Board of Supervisors. The original statements for all other designated employees will be retained by the agency.

Sukhmani Purewal
Deputy Clerk of the Board of Supervisors

**2018 DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES
GOVERNED BY THE CONFLICT OF INTEREST CODE**

CLERK OF THE BOARD OF SUPERVISORS

San Mateo County Countywide Oversight Board

Each person holding any position listed below must file statements disclosing the kinds of financial interest shown for the designated employee's position. Statements must be filed at the times and on the forms prescribed by law. Failure to file statements on time may result in penalties including but not limited to late fines.

<u>DESIGNATED EMPLOYEES' TITLE OR FUNCTION</u>	<u>DISCLOSURE SCHEDULES</u>
Each member of the Countywide Oversight Board	A-1, A-2, B, C, D, E
Counsel to the Countywide Oversight Board	A-1, A-2, B, C, D, E
Consultants to the Countywide Oversight Board	A-1, A-2, B, C, D, E

*Each filer shall file his or her financial statement with the Clerk of the Board of Supervisors as the Filing Officer for the Oversight Board.

San Mateo County Countywide Oversight Board

July 30, 2018

Revised Agenda Item #9

TO: San Mateo County Countywide Oversight Board

FROM: Shirley Tourel, Assistant Controller

SUBJECT: Election of Chair and Vice Chair

Overview/Background:

California Health and Safety Code (HSC) Section 34179(a), requires the San Mateo County Countywide Oversight Board (the "Oversight Board") to elect one of its members to serve as Chair of the Oversight Board. There is no requirement to elect other officers; however, this does not preclude the Oversight Board from electing other officers, such as a Vice Chair. Once a Chair and/or Vice Chair is/are elected, the Oversight Board will report the names of the individuals to the State Department of Finance (DOF).

Typically, the Chair serves as the "Presiding Officer" at all meetings and performs other duties as may be assigned by the Oversight Board. The Presiding Officer maintains order and keeps discussions in line with the meeting agenda. A Vice Chair typically performs the same duties as the Chair, when the Chair is absent.

HSC 34179(c) states that Oversight Board members shall serve without compensation or reimbursement for expenses. Per HSC 34179(d), Oversight Board members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

This action furthers the dissolution of the thirteen successor agencies within San Mateo County as the election of a Chair and Vice Chair will allow the Oversight Board to hold meetings in an efficient and organized manner and will allow officers to sign relevant documents while acting as the Chair and/or Vice Chair in order to conduct business in connection with the wind down of said successor agencies.

Discussion:

Below is a proposed procedure for conducting the elections of a Chair and Vice Chair which has been used for various County boards and commissions.

1. Nominations for Chair, which must be seconded, will be taken from the floor, after which the nominations will be closed. A nominee may decline the nomination.

2. If only one member is nominated, a vote will be taken, by show of hands, as to whether the nominee shall be elected. If four members vote in favor of the nominee, the member shall be elected.
3. If two members are nominated, a vote will be taken by show of hands as to each nominee (the order of the vote will be determined by a random draw of the names). If four members vote in favor of one nominee, that nominee will be elected. If neither nominee receives four votes, additional rounds of voting will occur until a Chair is elected.
4. If three or more members are nominated, a vote for each nominee will be taken by a show of hands (the order of the vote to be determined by a random draw of the names). If one of the nominees receives four votes, that nominee will be elected. If none of the nominees receives four votes, a runoff vote will be held as to the top two vote-getters using the procedure in (3) above. In the event of a tie among two or more nominees for second place, additional rounds of voting will occur including all nominees until one nominee is elected or two nominees qualify for a runoff.

The election process for Chair will be presided over by Controller's staff. Upon election of the Chair, the Chair will conduct the election for Vice Chair.

Recommendation:

It is recommended the Oversight Board adopt the resolution approving the election of a Chair and Vice Chair to the San Mateo County Countywide Oversight Board. The resolution and names of the Chair and Vice Chair will be sent to DOF pursuant to HSC 34179(a).

RESOLUTION NO. 2018-_____

**RESOLUTION OF THE SAN MATEO COUNTY COUNTYWIDE
OVERSIGHT BOARD APPROVING THE ELECTION OF A CHAIR AND VICE CHAIR**

WHEREAS, California Health and Safety Code Section (HSC) 34179(e) requires all action items of Countywide Oversight Boards, including the San Mateo County Countywide Oversight Board (the "Oversight Board"), be accomplished by resolution; and

WHEREAS, in accordance with Senate Bill No. 107 (SB 107), HSC Section 34179(j), the thirteen oversight boards currently in place in San Mateo County have consolidated into one Countywide Oversight Board effective July 1, 2018; and

WHEREAS, HSC 34179(a) requires the election of a member to serve as Chair of the Oversight Board and while there is no requirement to elect a Vice Chair, the Oversight Board is not precluded from doing so; and

WHEREAS, pursuant to HSC 34179(c), Oversight Board members shall serve without compensation or reimbursement for expenses; and

WHEREAS, pursuant to HSC 34179(d), Oversight Board members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code; and

WHEREAS, the election of a Chair and Vice Chair will further the Oversight Board's ability to perform its fiduciary duty to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other related revenues;

NOW, THEREFORE, BE IT RESOLVED, the San Mateo County Countywide Oversight Board hereby determines as follows:

1. Oversight Board member _____ is hereby elected as Chair of the San Mateo County Countywide Oversight Board; and

2. Oversight Board member _____ is hereby elected as Vice Chair of the San Mateo County Countywide Oversight Board; and

BE IT FURTHER RESOLVED, that staff is hereby authorized and directed to submit the names of the individuals to the State Department of Finance (DOF).

* * *

San Mateo County Countywide Oversight Board

July 30, 2018

Revised Agenda Item #10

TO: San Mateo County Countywide Oversight Board

FROM: Shirley Tourel, Assistant Controller

SUBJECT: Ad Hoc Committee(s) Regarding the Retention of Oversight Board Legal Counsel and the Development of By-Laws

Overview/Background:

In accordance with Senate Bill No. 107 (SB107), Health and Safety Code (HSC) Section 34179(j), the thirteen oversight boards currently in place in San Mateo County have consolidated into one San Mateo County Countywide Oversight Board (the "Oversight Board") effective July 1, 2018. The Oversight Board is vested with all the rights, powers, duties, privileges, and immunities established by HSC Sections 34179, 34180, and 34181.

In furtherance of the Oversight Board's exercise of its rights, powers, duties, privileges, and immunities, it is recommended that the Board retain independent legal counsel to provide advice with respect to its operations and actions to ensure that all applicable legal requirements are satisfied. Additionally, it is recommended that the Oversight Board establish procedures for scheduling special meetings, submitting matters for consideration at meetings, quorum requirements, and member structure including roles and responsibilities, as well as other items affecting the essential operation of the Oversight Board. Such actions will further the dissolution of the thirteen successor agencies within San Mateo County by providing the Board with legal support and facilitating the Board's holding of meetings in an efficient and organized manner.

Recommendation:

It is recommended the Oversight Board create an ad hoc committee or committees to work with staff in evaluating potential legal counsel and developing bylaws. At the Board's next meeting, the committee or committees would present recommendations to the full Board with the intention that an agreement with legal counsel be presented for the Board's discussion and approval and that proposed bylaws be presented for discussion and adoption.

RESOLUTION NO. 2018-_____

**RESOLUTION OF THE SAN MATEO COUNTY COUNTYWIDE
OVERSIGHT BOARD CREATING AN AD HOC COMMITTEE AND/OR COMMITTEES**

WHEREAS, California Health and Safety Code Section (HSC) 34179(e) requires all action items of Countywide Oversight Boards, including the San Mateo County Countywide Oversight Board (the "Oversight Board"), be accomplished by resolution; and

WHEREAS, in accordance with Senate Bill No. 107 (SB 107), HSC Section 34179(j), the thirteen oversight boards currently in place in San Mateo County have consolidated into one Countywide Oversight Board effective July 1, 2018; and

WHEREAS, pursuant to HSC 34179(c), Oversight Board members shall serve without compensation or reimbursement for expenses; and

WHEREAS, pursuant to HSC 34179(d), Oversight Board members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code; and

WHEREAS, in furtherance of the Oversight Board's exercise of its rights, powers, duties, privileges, and immunities, it is recommended that the Board retain independent legal counsel to provide advice with respect to its operations and actions to ensure that all applicable legal requirements are satisfied; and

WHEREAS, in furtherance of the above-referenced objectives, it is recommended that the Oversight Board create an ad hoc committee or committees to work with staff in evaluating potential legal counsel and developing by-laws;

NOW, THEREFORE, BE IT RESOLVED, the San Mateo County Countywide Oversight Board hereby determines as follows:

1. Oversight Board members _____, _____, and _____ are hereby designated as an Ad Hoc Committee of the San Mateo County Countywide Oversight Board for the purposes of working with staff to evaluate potential legal counsel for the Board and making a recommendation for the Board's consideration and potential approval; and

2. Oversight Board members _____, _____, and _____ are hereby designated as an Ad Hoc Committee of the San Mateo County Countywide Oversight Board for the purposes of working with staff to develop bylaws for the Board's consideration and potential approval.

* * *

San Mateo County Countywide Oversight Board

July 30, 2018

Revised Agenda Item #11

TO: San Mateo County Countywide Oversight Board
FROM: Shirley Tourel, Assistant Controller
SUBJECT: Board Calendar for Fiscal Year 2018-19

Staff has reserved the County's Board of Supervisors Chambers for potential oversight board meetings through June 2019.

Should the Oversight Board decide to hold meetings on any of the dates below, then such meetings can be scheduled from 9:00 AM - 1:00 PM except for August 22, 2018, when the Chambers are available in the afternoon only (1:00 PM– 4:00 PM).

The Oversight Board (the "Board") may take two approaches to scheduling its regular meetings:

1. Only schedule those meetings that the Board currently determines are necessary, and then schedule special meetings of the Board on an ad hoc basis as necessary; or
2. Schedule meetings on all dates for which the Chambers are reserved, and then cancel any meetings in the absence of a pressing need to hold such meetings.

Set forth below are all of the dates during FY 2018-19 for which Staff has currently reserved the Chambers:

Board Chamber Reservations for Potential Oversight Board Meetings			
2018		2019	
Wednesday*	August 22	Wednesday**	January 9
Wednesday	August 29	Wednesday**	January 16
Wednesday	September 5	Wednesday	February 6
Wednesday	October 3	Wednesday	March 6
Wednesday	November 7	Wednesday	April 3
Wednesday	December 5	Wednesday	May 1
		Wednesday	June 5

*Room availability is afternoon only.

**Except for August and January, the room reservations are for the first Wednesday of the month. January room reservations are for the second and third Wednesdays of that month.

The following table describes the different agenda items that will need Board action, the expected timeline of the agenda item and the type of meeting required.

Agenda Item	Projected Date for Submission of Agenda Item	Due to DOF	Comment
Amendment to Annual ROPS 18-19	August	October 1, 2018	Regular Meeting
Annual ROPS 19-20	January	February 1, 2019	Regular Meeting
Last and Final ROPS	Unknown	After OB approval	Regular Meeting
Unanticipated Matters That Require Immediate Action	Unknown	After OB approval	Special Meeting

RESOLUTION NO. 2018-_____

**RESOLUTION OF THE SAN MATEO COUNTY COUNTYWIDE
OVERSIGHT BOARD ADOPTING THE DATE, TIME, AND
LOCATION OF THE BOARD'S REGULAR MEETINGS**

WHEREAS, California Health and Safety Code Section (HSC) 34179(e) requires all action items of Countywide Oversight Boards, including the San Mateo County Countywide Oversight Board (the "Oversight Board"), be accomplished by resolution; and

WHEREAS, in accordance with Senate Bill No. 107 (SB 107), HSC Section 34179(j), the thirteen oversight boards currently in place in San Mateo County have consolidated into one Countywide Oversight Board effective July 1, 2018; and

WHEREAS, establishing the date, time and location of Oversight Board meetings will further the Oversight Board's ability to perform its fiduciary duties pursuant to HSC 34179(i), and allow the thirteen successor agencies within San Mateo County to more efficiently bring items before the Oversight Board for its consideration and approval;

NOW, THEREFORE, BE IT RESOLVED, the San Mateo County Countywide Oversight Board hereby approves the date, time and location of the regularly scheduled meetings for the San Mateo County Countywide Oversight Board as set forth in Exhibit A attached hereto, and incorporated herein by this reference.

* * *

Exhibit A

San Mateo County Countywide Oversight Board Regular Meeting Schedule		
Day	Date	Starting Time
Wednesday	August 22	1:00 p.m.
Wednesday	August 29	9:00 a.m.
Wednesday	September 5	9:00 a.m.
Wednesday	October 3	9:00 a.m.
Wednesday	November 7	9:00 a.m.
Wednesday	December 5	9:00 a.m.
2019		
Day	Date	Starting Time
Wednesday	January 9	9:00 a.m.
Wednesday	January 16	9:00 a.m.
Wednesday	February 6	9:00 a.m.
Wednesday	March 6	9:00 a.m.
Wednesday	April 3	9:00 a.m.
Wednesday	May 1	9:00 a.m.
Wednesday	June 5	9:00 a.m.