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**Meeting of the
Oversight Board for the Successor Agency
to the Redevelopment Agency of the
City of Fresno**

**Meeting Minutes
November 16, 2016**

The Oversight Board for the Successor Agency to the Redevelopment Agency of the City of Fresno met at 10:02 a.m. in Meeting Room 2165 (Meeting Room A), City Hall on November 16, 2016.

Present were:

Larry Hodges, appointed by State Center Community College District
Rene Watahira, appointed by the Mayor of Fresno
Doug Vagim, appointed by Fresno County Board of Supervisors (**Arrived at 10:07 a.m.**)
Alan Hofmann, appointed by the Metropolitan Flood Control District (Special District)
Larry Westerlund, appointed by Mayor of Fresno (**Arrived at 10:09 a.m.**)
Debbie Poochigian, appointed by Fresno County Board of Supervisors (**Arrived at 10:10 a.m.**)
Alan Hofmann, appointed by the Metropolitan Flood Control District (Special District)
Jeff Becker, appointed by Fresno County Superintendent of Schools

- I. **Call to Order**
 1. **Roll Call**
 2. **Pledge of Allegiance**
 3. **Member Comments**

Roll Call/Pledge of Allegiance

The meeting was called to order by Chair Hofmann at 10:02 a.m. and the roll call was taken. The pledge of allegiance was recited.

Member Comments

None

- II. **Approval of Agenda**

Board Member Watahira made the motion to approve the agenda. Board Member Hodges seconded the motion. The motion passed on a vote of 4-3 with Board Members Poochigian, Vagim, and Westerlund absent.

- III. **Approval of Minutes of October 19, 2016.**

Board Member Watahira made a motion to approve the minutes of October 19, 2016. Board Member Hodges seconded the motion. Mr. Behrens suggested delaying the vote on the minutes until more Board Members are present because we need a vote of four in order for the approval of the minutes to pass.

IV. Disposition of Agency Property

1. Action pertaining to sale of 3.7 acres of property at 46 E. Florence Avenue (APN 477-161-16T) (LRPMP #9), Reserve (Minimum Bid) Price - \$60,750
 - a. Auction
 - b. Adopt a resolution approving the sale of the property

There was no written bid and no response to the call for oral bids. The listing price will be reduced by 25% and the property will be set for auction for the third time.

2. Action pertaining to sale of 1.01 acres of property at 4648 E. Kings Canyon Rd. (APNs 470-081-03T, -04T, -05T, & -06T) (LRPMP #19), Reserve (Minimum Bid) Price - \$240,000.
 - a. Auction
 - b. Adopt a resolution approving the sale of the property

There was no written bid and no one responded to the call for oral bids. The listing price will be reduced by 25% and the property will be set for auction for the third time.

3. Action pertaining to sale of 2.81 acres of property at 1903 Mariposa (APN 466-215-20T) (LRPMP #37), Reserve (Minimum Bid) Price - \$1,800,000
 - a. Auction
 - b. Adopt a resolution approving the sale of the property

One written bid was submitted from the High Speed Rail (HSR) with the appropriate deposit of \$1,800,000. When calling for oral bids, Terrance Frasier submitted the appropriate deposit. The bidding began at \$1,890,000. Terrance Frasier won the bid for \$2,402,000. Board Member Westerlund made a motion to sell 1903 Mariposa for \$2,402,000 to the highest bidder contingent upon exercising the first right of refusal by the City of Fresno. Board Member Watahira seconded the motion. The motion passes on a 7-0 vote.

V. Action Regarding Method of Disposition for 1900 Tuolumne (1911 Merced) (Parking Lot 2) APNs 466-206-50T & 466-206-51T Through:

1. Property Disposition Guideline (PDG) methods: (A) Open Market Solicitation; (B) Request for Offer to Purchase Including Proposed Development or (C) Auction or
2. Waive PDG and bring back a Purchase and Sale Agreement for direct sale to Tutelian INC for \$520,000 with terms to be approved.

After brief discussion, Board Member Westerlund made a motion to be consistent with what we have been doing and sell at auction under the regular auction guidelines.

Vice Chair Vagim wanted to dispose of a motion that he made at the last meeting before dealing with Board Member Westerlund's motion. There was discussion regarding how the Board handled disposing of property in the past. There was discussion regarding whether or not Vice Chair Vagim's motion from the last meeting automatically carried over to this meeting. According to the minutes of October 19, 2016, Mr. Behrens stated

the Oversight Board cannot delegate staff to dispose of property because that is the Oversight Board's job. More discussion ensued. It was clarified that Vice Chair Vagim's motion included improper delegation and to ensure the Brown Act was abided all options would be on the agenda for consideration at this meeting. Board Member Watahira seconded Board Member Westerlund's motion. Public comment on this item was taken.

Public comment on this item included the following speakers:

Preston Prince
Jim Huelshemp
Cliff Tutelian
Jeff Reid
Council Member Baines
Renena Smith
Riadh Kharalla
Jake Rojikian

Discussion ensued regarding long term value and the best value from an auction. After all of the public comments were heard, Chair Hofmann went to the motion made by Board Member Westerlund. Vice Chair Vagim wanted his motion from the last meeting to be voted on and Chair Hofmann stated that the item being heard from the last meeting is agenda item V. and that is being voted on today. Vice Chair Vagim asked to clarify with Chair Hofmann that the Chair has determined that the motion made at the last meeting is not a standing motion and Chair Hofmann replied, that is correct.

The motion on the table made by Board Member Westerlund is to be consistent with what we have been doing and to sell at auction under the regular auction guidelines.

Vice Chair Vagim made an amendment to the motion to hold off on the next auction until the new administration is in place. Delay the next auction until 45 days after the new year. Board Member Westerlund called the question. Board Member Poochigian questioned the disclosure of encumbrances. Board Member Westerlund stated there is no enforceable contract on the property. Ms. Murphy stated that they will work with the attorneys for any language that needs to go into the posting. Board Member Westerlund called the question again. Vice Chair Vagim asked if there was a second to his amendment. Board Member Hodges asked for clarification of the amendment which Vice Chair Vagim explained. Chair Hofmann explained the motion. Jeff Reid stated they believe there is an encumbrance that needs to be disclosed. The amendment to the motion was seconded by Board Member Poochigian. Mr. Behrens stated in regards to the procedural issue here, if there is an amendment, to Mr. Westerlund's motion, it would have to be an amendment made, seconded and passed to force that amendment. You have a motion and then you have an independent maybe superseding amendment to that motion. So your amendment is to delay the auction process rather than going with the auction process today. Chair Hofmann restated that there is an amendment and a second. Mr. Behrens explained that the vote will be on the amendment to the motion first. If the amendment passes it will defer the auction process. You are not making a decision on auction or no auction.

A roll call vote on the amendment to delay the auction for 45 days after the new year failed on a vote of 2-5 with Vice Chair Vagim and Poochigian voting "Yes".

Board Member's Westerlund motion to be consistent and sell the property by auction and any encumbrance's will be noticed in the advertisements was voted on by roll call vote. The motion passed on a vote of 5-2 with Board Member Poochigian and Vice Chair Vagim voting no.

There was a question if publication could begin tomorrow. Laurie Avedisian stated that they have reviewed all of the agreements and documents and they do not believe that there is any encumbrance, so we do not see anything changing.

Approval of the minutes – Vice Chair Vagim requested the following change: on page 7, the last paragraph should reflect the word "culminate" NOT "cumulate". On a motion by Board Member Watahira and a second by Board Member Hodges, the minutes were approved on a vote of 6-0 with Board Member Becker abstaining.

Board Member Poochigian left the meeting.

Board Member Westerlund made a motion to adjourn the meeting, the motion was seconded by Board Member Becker. The motion passed on a vote of 6-0 with Board Member Poochigian absent.

The meeting adjourned at 11:50 a.m.