
OVERSIGHT BOARD
City and County of San Francisco,
Successor Agency to the San Francisco Redevelopment Agency

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Lindy McKnight
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CITY HALL, ROOM 416
1 DR. CARLTON B. GOODLETT PLACE
SAN FRANCISCO, CA 94102

A G E N D A

TUESDAY, March 6, 2012 • 3:00 p.m.

Staff Reports/Explanatory Documents available to the public and provided to the Oversight Board are posted on the Oversight Board at www.sfgov.org/oversightboard. The agenda packet is also available at the reception desk at 1 South Van Ness Avenue, 5th Floor. If any materials related to an item on this agenda have been distributed to the Oversight Board after distribution of the agenda packet, those materials are available for public inspection at the Oversight Board Secretary's Office located at 1 South Van Ness Avenue, 5th Floor, during normal office hours.

1. CALL TO ORDER / ROLL CALL

2. APPROVAL OF MINUTES – None

3. ANNOUNCEMENTS

A. Announcement of Prohibition of Sound Producing Electronic Devices during the Meeting

Please be advised that the ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing of or use of a cell phone, pager, or other similar sound-producing electronic device.

B. Announcement of Time Allotment for Public Comments

Please be advised a member of the public has up to three minutes to make pertinent public comments on each agenda item unless the Oversight Board adopts a shorter period on any item. It is strongly recommended that members of the public who wish to address the Oversight Board should fill out a "Speaker Card" provided by the Board Secretary, and submit the completed card to the Board Secretary.

4. CONSENT AGENDA – None

5. REGULAR AGENDA

A. Election of a Chair and Vice-Chair of the Oversight Board (Discussion and Action)

B. Adoption of a resolution selecting the City Attorney for the City and County of San Francisco as legal counsel for the Oversight Board for the City and County of San Francisco (Successor Agency to the Redevelopment Agency of the City and County of San Francisco), and waiving any potential conflicts that may arise from the City Attorney's concurrent representation of the Oversight Board and the City and County of San Francisco (Discussion and Action) (Resolution No. 1-2012)

C. Adoption of Roberts Rules of Order as the Oversight Board's governing rules of order (Discussion and Action)

D. Adoption of a regular meeting location and schedule of the Oversight Board of City Hall, Room 416, on the 1st and 3rd Tuesday of every month at 3:00 p.m. (Discussion and Action)

E. Designation of Tiffany Bohee as the City official to whom the California Department of Finance shall make requests to review Oversight Board decisions (Discussion and Action)

F. Approval of the appointment of Tiffany Bohee as the Executive Director for the Oversight Board (Discussion and Action)

G. Staff Report (Discussion)

- 1) Presentation on the Board's role and duties, including staffing of the Board
- 2) Requesting direction from the Chair for the Oversight Board staff to work with the staff of the Ethics Commission on a Statement of Incompatible Activities for consideration by the Ethics Commission

H. Adoption of a resolution confirming that solely for the purposes of implementing ABX1 26, the use of special tax revenues under Community Facilities Districts that the former Redevelopment Agency of the City and County of San Francisco established or agreed to establish (including, but not limited to, imposing or increasing special taxes, spending the revenues or issuing debt secured by those revenues), is not subject to the Oversight Board's review or approval under such state law, and that the special tax revenues and their expenditure shall not be included in the enforceable obligation payment schedule or the recognized obligation payment schedule (Discussion and Action) (Resolution No. 2-2012)

I. Adoption of a resolution acknowledging that the City and County of San Francisco ("City") effectuated a transfer of the housing assets and functions of the former Redevelopment Agency of the City and County of San Francisco, and that the city accepted such assets and functions and placed them under the administrative jurisdiction of its Mayor's Office of Housing ("MOH") and vested MOH with the authority to perform all of the Agency's rights and obligations relating to such assets, and further acknowledging that all actions that the City, including MOH, has taken or may take with respect to such housing assets are not subject to this Oversight Board's review or approval except as may be required under (1) AB 26 for the City solely as successor agency to use property tax revenues (former increment) to pay or perform enforceable obligations and (2) Board of Supervisors Resolution No. 11-12 as to the implementation of the Major Approved Development Projects (Discussion and Action) (Resolution No. 3-2012)

J. Report of the Chair (Discussion)

6. CLOSED SESSION

A. Discussion and vote on whether to hold closed session. (Discussion and Action)

Closed Session

A Closed Session has been calendared to discuss the following matter:

- 1) CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION MATTERS (Discussion and Action)

- a. Discuss existing litigation matters pursuant to California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d):

In re Municipal Derivatives Antitrust Litigation (Redevelopment Agency of City and County of San Francisco v. Bank of America, *et al.*), MDL 1950 (Master Docket No. 08-02516), Federal District Court (Southern District of New York)

1. Proposed Action: Ratifying and approving a settlement between Bank of America and the City and County of San Francisco, as successor agency to the Redevelopment Agency of the City and County of San Francisco ("City") under Assembly Bill No. 1X 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) ("AB 26") in *In re Municipal Derivatives Antitrust Litigation (Redevelopment Agency of City and County of San Francisco v. Bank of America, et al.)*, MDL 1950 (Master Docket No. 08-02516) requiring the payment of \$27,617.48 to the City. (The payment to the City is a pro rata share of a settlement that is being divided among the multiple public and private plaintiffs in the action. After deducting attorney's fees, the City shall receive \$25,131.91.)

2. Proposed Action: Ratifying and approving a settlement between Morgan Stanley and the City and County of San Francisco, as successor agency to the Redevelopment Agency of the City and County of San Francisco ("City") under Assembly Bill No. 1X 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) ("AB 26") in *In re Municipal Derivatives Antitrust Litigation (Redevelopment Agency of City and County of San Francisco v. Bank of America, et al.)*, MDL 1950 (Master Docket No. 08-02516) requiring the payment of \$10,036.36 to the City. (The payment to the City is a pro rata share of a settlement that is being divided among the multiple public and private plaintiffs in the action -- which shall be applied toward costs incurred by the City in the litigation.)

7. RECONVENE IN OPEN SESSION

- A. Possible report on actions taken in closed session pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67-12. (Discussion and Action)
- B. Vote on whether to disclose any or all executive session discussions pursuant to Government Code Section 54957.1 and San Francisco Administrative Code Section 67.12. (Discussion and Action)

8. NEW MATTERS FOR FUTURE CONSIDERATION

9. PUBLIC COMMENT ON NON-AGENDA ITEMS

Members of the public may address the Oversight Board on matters that are within the Oversight Board's jurisdiction and not on today's calendar. Each speaker shall have up to three minutes to make pertinent public comments unless the Oversight Board adopts a shorter period. It is strongly recommended that members of the public who wish to address the Oversight Board should fill out a "Speaker Card" provided by the Board Secretary, and submit the completed card to the Board Secretary.

10. ADJOURNMENT

ACCESSIBLE MEETING POLICY

The Oversight Board meeting will be held in City Hall, Room 416, at One Dr. Carlton B. Goodlett Place (400 Van Ness Avenue), San Francisco, CA. The closest accessible BART station is the Civic Center Station at United Nations Plaza and Market Street. Accessible Muni lines serving this location are: Muni Metro lines J Church, K Ingleside, L Taraval, M Oceanview, N Judah and T Third at Van Ness and Civic Center Stations; F Market Line; and bus routes 19 Polk, 47 Van Ness, 49 Mission Van Ness, 5 Fulton, 6 Parnassus, 21 Hayes, 9 San Bruno, 9L San Bruno Limited, 71 Haight Noriega and 71L Noriega Limited. For information about Muni accessible services call (415) 701-4485.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets.

To obtain a disability-related accommodation, including auxiliary aids or services, or to obtain meeting materials in alternative format, please contact the Board Secretary at (415) 749-2400. Providing at least 72 hours notice will help to ensure availability.

To assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE:

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Sections 67.1 et seq. of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Chris Rustom by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102-4689; by phone at (415) 554-7724; by fax at (415) 554-7854 or by email at sotf@sfgov.org. Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from Mr. Rustom or by printing Sections 67.1 et seq. of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>.

NOTICES

PROHIBITION OF RINGING OF SOUND PRODUCING DEVICES:

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LOBBYIST REGISTRATION AND REPORTING REQUIREMENTS:

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (SF Campaign & Government Conduct Code Sections §2.100 – 2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness, Suite 3900, San Francisco, CA 94102, phone (415) 581-2300 or fax (415) 581-2317; web site: www.sfgov.org/ethics.