

## **AMENDED JOINT REGULAR MEETING AGENDA**

Joint Regular Meeting of the Los Banos Designated Local Authority, as  
Successor Agency to the Los Banos Redevelopment Agency, and  
the Merced Designated Local Authority, as  
Successor Agency to the Redevelopment Agency of the City of Merced

**Thursday, November 7, 2013 at 1:00 PM**

Los Banos City Council Chambers  
520 J Street, Los Banos, CA 93635

### **Call to Order**

**Los Banos Designated Local Authority, as  
Successor Agency to the Los Banos Redevelopment Agency**

The agenda for regular meetings is posted 72 hours prior to each meeting outside of the Los Banos City Hall located at 520 J Street, Los Banos, CA 93635, and is available at each meeting. The agenda and related reports are also available at the Los Banos City Clerk's Office and are available on the Designated Local Authority's website at [www.kosmont.com](http://www.kosmont.com). Any writing distributed within 72 hours of the meeting will be made available to the public by placing it with the City Clerk at the time it is distributed to the Designated Local Authority.

### **Roll Call**

Board Members: Michael Amabile, Chair  
Erasmo Viveros, Vice Chair  
P. Cannon Michael, Treasurer

### **Public Comments:**

Members of the public may comment on any item not appearing on the agenda and within the subject matter jurisdiction of the Board. Comments will be limited to a maximum of 5 minutes per person, and each person may speak once during this time. Time cannot be yielded to another person. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the Board. The public will be invited to make comments on agenda items when the item comes up for the Board's consideration. Please state your name and address for the record.

**Information Items:**

- A. Update on Due Diligence Reviews – oral update – no action will be taken – information item only.
- B. Update on Transfer of Fiscal Services to City – oral update – no action will be taken – information item only.
- C. Update on DOF’s & Governor’s staff efforts to appoint DLA Board replacement for vacated seat – oral update – no action will be taken – information item only.

**Action Items:**

- 1. Approval of Minutes

Recommendation: It is recommended that the Los Banos Designated Local Authority, acting as Successor Agency to the Los Banos Redevelopment Agency, approve the minutes of the September 27, 2013 meeting.

**Other:**

- Board member comments
- Staff and counsel comments

**Adjournment**

Americans with Disabilities Act Notice: Any individual, who because of a disability need special assistance to attend or participate in this meeting may request assistance by contacting the DLA Staff 24 hours in advance of the meeting.

DLA Staff Contact: Chris Jicha, (951) 203-8730, [cjicha@kosmont.com](mailto:cjicha@kosmont.com)

**Affidavit Of Posting:**

I, \_\_\_\_\_, City staff of the City of Los Banos, do hereby affirm that a copy of the foregoing agenda was posted at City Hall 72 hours in advance of this meeting.

\_\_\_\_\_  
City of Los Banos

## **Call to Order**

### **Merced Designated Local Authority, as Successor Agency to the Redevelopment Agency of the City of Merced**

The agenda for regular meetings is posted 72 hours prior to each meeting outside of the Merced City Hall located at 678 W 18th St, Merced, CA 95340, and is available at each meeting. The agenda and related reports are also available at the Merced City Clerk's Office and are available on the Designated Local Authority's website at [www.kosmont.com](http://www.kosmont.com). Any writing distributed within 72 hours of the meeting will be made available to the public by placing it with the City Clerk at the time it is distributed to the Designated Local Authority.

## **Roll Call**

Board Members: Michael Amabile, Chair  
P. Cannon Michael, Vice Chair  
Erasmus Viveros, Treasurer

## **Public Comments For Closed Session Items:**

Members of the public interested in addressing the Board on Closed Session Items must fill out a form provided at the door, and turn it into the Clerk prior to announcement of the Closed Session items.

Please be aware that the maximum time allotted will be 3 minutes per person and each person may speak once during this time. Time cannot be yielded to another person. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the Board. Please state your name and address for the record.

## **Oral Communications on Closed Session Items:**

### **Closed Session:**

Successor Agency Counsel shall provide a briefing on the items listed for Closed Session as follows:

Conference with Legal Counsel –Existing Litigation (Paragraph (1) of subdivision (d) of Section 54956.9 - *In re MTBE* Multi-District Litigation

### **Recess to Closed Session**

Conducted in accordance with applicable sections of California law. Closed Sessions are not open to the public. The item(s) listed above will be discussed in Closed Session.

### **Reconvene Special Meeting**

Report of Action in Closed Session

### **Public Comments:**

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### **Information Items:**

- A. Update on State Controller's office audit – oral update – no action will be taken – information item only.
- B. Update on Status of Due Diligence Reviews – oral update – no action will be taken – information item only.
- C. Update on R Street Remediation – see attached memorandum – no action will be taken – information item only.
- D. Update on DOF's & Governor's staff efforts to appoint DLA Board replacement for vacated seat – oral update – no action will be taken – information item only.

### **Action Items:**

1. Approval of Minutes

Recommendation: It is recommended that the Merced Designated Local Authority, acting as Successor Agency, approve the minutes of September 27, 2013 meeting.

2. Atman Hospitality Group DDA

Recommendation: It is recommended that the Merced Designated Local Authority, acting as Successor Agency, direct DLA staff to take one or more of the following actions:

- (i) To make no objection to the bankruptcy trustee's sale of the property free and clear of the covenants imposed by the DDA except for non-discrimination covenants required by applicable law; and/or
- (ii) To make such objections to the bankruptcy trustee's sale of the property as directed by the DLA Board; and/or
- (iii) To take such further actions as directed by the DLA Board.

**Other:**

- Board member comments
- Staff and counsel comments

**Adjournment**

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DLA Staff Contact: Chris Jicha, (951) 203-8730, [cjicha@kosmont.com](mailto:cjicha@kosmont.com)

**Affidavit Of Posting:**

I, \_\_\_\_\_, City staff of the City of Merced, do hereby affirm that a copy of the foregoing agenda was posted at City Hall 72 hours in advance of this meeting.

\_\_\_\_\_  
City of Merced