

OVERSIGHT BOARD RESOLUTION NO. 125-18-OB

**RESOLUTION OF THE OVERSIGHT BOARD TO THE
SUCCESSOR AGENCY TO THE SUNNYVALE
REDEVELOPMENT AGENCY GIVING DIRECTION TO
THE SUCCESSOR AGENCY STAFF REGARDING THE
HIRING OF ADDITIONAL LEGAL COUNSEL AND
AUTHORIZING THE OVERSIGHT BOARD CHAIR TO
REQUEST AN EXTENSION TO ANSWER COUNTY OF
SANTA CLARA ET AL V. SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF
SUNNYVALE ET AL, SACRAMENTO SUPERIOR COURT
CASE NUMBER 34-201880002837**

WHEREAS, the Oversight Board to the Successor Agency to the Sunnyvale Redevelopment Agency ("Oversight Board") has been named as a Respondent in the certain lawsuit titled *County of Santa Clara et al. v. Successor Agency to the Redevelopment Agency of the City of Sunnyvale et al*, Sacramento Superior Court Case Number 34-2018-80002837 ("Litigation") which was filed on March 20, 2018, and served on March 22, 2018; and

WHEREAS, the Oversight Board's response to the Litigation is due on April 22, 2018 unless the Oversight Board obtains an extension to respond from the Petitioners in the Litigation; and

WHEREAS, the Oversight Board is not represented by an attorney; and

WHEREAS, the Oversight Board desires to take the following actions in response to the Litigation.

NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SUNNYVALE THAT:

1. The Oversight Board authorizes the Chair of the Oversight Board to request an extension to respond to the Litigation for 45 days after the Department of Finance makes a determination on Resolution No. 122-18-OB; and

2. The Oversight Board, in accordance with Health and Safety Code Section 34179(n) directs the Successor Agency to provide legal representation to the Oversight Board for the Litigation and directs the Successor Agency to follow the following procedures for obtaining legal representation for the Oversight Board:

a. Obtain proposals from attorneys for the Oversight Board representation to be presented to the Oversight Board for selection of the attorney; and

3. The Oversight Board directs the Successor Agency to explore options with the Department of Finance for amendments to the Successor Agency's Recognized Obligation Payment Schedule to provide funding for the Oversight Board's legal representation.

Adopted by the Oversight Board to the Successor Agency of the former Redevelopment Agency of the City of Sunnyvale at a special meeting held on April 4, 2018, by the following vote:

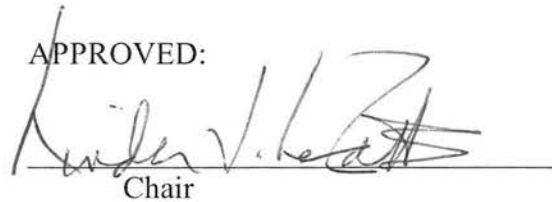
AYES: LEZOTTE, MCELROY, TINSLEY, KIRBY, SNOW, BRADLEY, MORENO
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE
RECUSAL: NONE

ATTEST:



Successor Agency Clerk

APPROVED:



Chair