

RESOLUTION NO. 2013-08 (OVERSIGHT BOARD)

**RESOLUTION OF THE OVERSIGHT BOARD FOR
SUCCESSOR AGENCY TO THE CITY OF SANTA CLARA
REDEVELOPMENT AGENCY APPROVING AMENDMENT
NO. 2 TO LEGAL SERVICES AGREEMENT WITH MONTROY
LAW CORPORATION**

WHEREAS, on July 11, 2012, the Oversight Board adopted Resolution No. 2012-01 authorizing a contract for legal services with Hilda Cantú Montroy, Attorney at Law; and

WHEREAS, on February 15, 2013, the Oversight Board adopted Resolution No. 2013-03 Authorizing Amendment No. 1 to contract for legal services with Montroy Law Corporation; and

WHEREAS, the agreement contains a “Maximum Not to Exceed Contract Amount” provision; and

WHEREAS, litigation prompting the retention of legal counsel for the Oversight Board continues and requires considerable work in the next few months; and

WHEREAS, the Oversight Board desires to have Montroy Law Corporation continue to provide legal services under the agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF THE CITY OF SANTA CLARA REDEVELOPMENT AGENCY AS FOLLOWS:

SECTION 1. Recitals. The recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. Approval of Amendment No. 2 to Legal Services Agreement. The Oversight Board hereby approves Amendment No. 2 to Legal Services Agreement with Montroy Law Corporation including a new cap amount of \$50,000.00.

SECTION 3. Submittal to Department of Finance. The Oversight Board hereby directs staff to submit to the Department of Finance and the County Auditor-Controller, a copy of this resolution.

SECTION 4. Effective Date. Pursuant to Health and Safety Code Section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for five (5) business days, pending a request for review by the State of California Department of Finance.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution passed and adopted by the Oversight Board for the Successor Agency to the Redevelopment Agency of the City of Santa Clara at a regular meeting thereof held on the 16th day of August 2013, by the following vote:

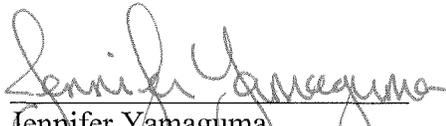
AYES:	BOARD MEMBERS:	Ameling, Decker, Gillmor, Guthrie and Ochoa and Chairperson Gage
NOES:	BOARD MEMBERS:	None
ABSENT:	BOARD MEMBERS:	Maduli
ABSTAIN:	BOARD MEMBERS:	None

APPROVE:



Don Gage
Chairperson

ATTEST:



Jennifer Yamaguma
Clerk to the Oversight Board

Attachments incorporated by reference:

- 1) *Amendment No. 2 to Legal Services Agreement*

AMENDMENT NO. 2
TO LEGAL SERVICES AGREEMENT FOR SERVICES TO THE
THE OVERSIGHT BOARD BY MONTOY LAW CORPORATION

This Amendment No. 2 ("Amendment No. 2") is entered into as of August 16, 2013, by and between the Successor Agency to the Redevelopment Agency of the City of Santa Clara ("Successor Agency") and MONTOY LAW CORPORATION ("Firm").

RECITALS

A. Successor Agency and Hilda Cantú Montoy, Attorney at Law, entered into a Legal Services Agreement effective July 17, 2012, to have Ms. Montoy represent the Oversight Board and to provide legal services to the Oversight Board as required.

B. Successor Agency and Hilda Cantú Montoy, Attorney at Law, entered into Amendment No. 1 effective February 22, 2013, to have Montoy Law Corporation represent the Oversight Board and to provide legal services to the Oversight Board as required.

C. The Agreement contains a "Maximum Not to Exceed Contract Amount."

D. The Oversight Board desires to have Montoy Law Corporation continue to provide legal services under the Agreement.

AGREEMENT

In consideration of the above recitals, which recitals are a part of this Amendment No. 2 to Legal Services Agreement and the mutual promises herein contained, the parties agree as follows:

1. Section B of Exhibit A to the Agreement is amended to read as follows:

B. Maximum Not to Exceed Contract Amount

The Agreement heretofore provided for a maximum not to exceed contract amount of \$85,000.00. That amount was increased by \$60,000 by Amendment No. 1 to the Agreement for a total of \$145,000. That maximum amount is increased by \$50,000.00 for a total of \$195,000.00, subject to budgetary appropriations.

2. Except as expressly modified in this Amendment No. 2, the terms and conditions of the Agreement and the rights, duties and obligations of the parties thereunder are unchanged and remain in full effect.

THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE
CITY OF SANTA CLARA, CALIFORNIA

APPROVED AS TO FORM:



RICHARD E. NOSKY, JR.
Agency General Counsel



JULIO J. FUENTES
Executive Director
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone No.: (408) 615-2210
Fax No.: (408) 249-7846

ATTEST:

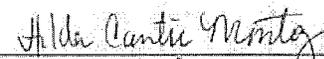


ROD DIRIDON, JR.
Agency Secretary

“SUCCESSOR AGENCY”

MONTOY LAW CORPORATION
a California Corporation

By:



HILDA CANTÚ MONTOY
President
2125 Kern Street, Ste. 308
Fresno, CA 93721
Telephone No.: (559) 579-1924
Fax No. (559) 579-1923

“FIRM”