



AGENDA
CITY OF VALLEJO
OVERSIGHT BOARD
FOR THE SUCCESSOR AGENCY
TO THE VALLEJO REDEVELOPMENT
AGENCY
REGULAR MEETING

CHAIR
Linda Seifert

BOARD MEMBERS:
Annette Taylor, Vice-Chair
Marti Brown
Melvin Jordan
LaGuan Lea
Shane McAfee
Alvaro da Silva

THURSDAY, SEPTEMBER 20, 2012
8:30 A.M.

CITY COUNCIL CHAMBERS, 2ND FLOOR
555 SANTA CLARA STREET, VALLEJO

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Board without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

Those wishing to address the Board on any matter for which another opportunity to speak is not provided on the AGENDA but which is within the jurisdiction of the Board to resolve may come forward to the podium during the "COMMUNITY FORUM" portion of the AGENDA.

Notice of Availability of Public Records: All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Board will be available for public inspection at the City Clerk's Office, 555 Santa Clara Street, Vallejo, CA at the same time that the public records are distributed or made available to the Board. Such documents may also be available on the City of Vallejo website at <http://www.ci.vallejo.ca.us> subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (707) 648-4527, TDD (707) 649-3562.

Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990) and the federal rules and regulations adopted in implementation thereof

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **COMMUNITY FORUM**
4. **APPROVAL OF THE MINUTES**
 - A. Approval of the Minutes from the August 16, 2012 Regular Meeting
5. **OLD BUSINESS – None.**
6. **NEW BUSINESS**
 - A. **Appointment of an Ad-hoc Committee for the Purpose of Recommending Legal Counsel Options**

Recommendation: Adopt a Resolution approving the appointment of an ad-hoc committee for the purpose of discussing legal counsel options and recommending a path forward to the Oversight Board

Contact: Ursula Luna Reynosa, Economic Development Director, 648-4392

B. Update on Property Disposition

Recommendation: No action. This is an informational item only.

Contact: Ursula Luna Reynosa, Economic Development Director, 648-4392

7. AGENDA ITEMS FOR FUTURE MEETINGS

A. Discussion of Agenda Items for Future Meetings.

8. ADJOURNMENT

CERTIFICATION:

I, Dawn Abrahamson, Secretary, do hereby certify that I have caused a true copy of the above notice and agenda to be delivered to each of the members of the Oversight Board for the Successor Agency of the Vallejo Redevelopment Agency, at the time and in the manner prescribed by law and that this agenda was posted at City Hall, 555 Santa Clara Street, CA at 4:00 p.m., September 14, 2012.

Dated: September 14, 2012


Dawn Abrahamson, Secretary

**CITY OF VALLEJO
OVERSIGHT BOARD
FOR THE SUCCESSOR AGENCY TO THE VALLEJO REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
AUGUST 16, 2012**

1. CALL TO ORDER

The meeting was called to order by Chair Seifert at 8:31 a.m.

2. ROLL CALL

Boardmembers Present: Chair Seifert (Solano County Board of Supervisors' Appointee), Vice Chair Taylor (member representing Employees of Former Redevelopment Agency Appointee), Boardmembers McAfee (GVRD, Largest Special District), da Silva (Solano County Board of Supervisors Public Member Appointee), Jordan (County Superintendent of Education Appointee), Brown (Mayor of Vallejo Appointee), and Boardmember Lea (Chancellor of California Community College Appointee) arrived at 8:34 a.m.

Absent: None

Staff Present: City of Vallejo Economic Development Director Luna-Reynosa and Dawn Abrahamson, Secretary

3. APPROVAL OF MINUTES

A. Approval of Minutes from July 19, 2012 Regular Meeting

Action: Moved by Vice Chair Taylor, seconded by Boardmember Brown and carried to approve the minutes. (Abstain – Seifert; Absent- Lea)

4. OLD BUSINESS – None.

5. NEW BUSINESS

A. Approval of Recognized Obligations Payment Schedules (ROPS) for the Period of January 1, 2013 – June 30, 2013

Recommendation: Adopt a Resolution approving the January 1, 2013 through June 30, 2013 ROPS

Economic Development Director Luna Reynosa provided a report and outlined changes made on the revised ROPS at the direction of the Department of Finance related to the dispute over the Six Flags Parking obligations and accounting error.

Staff responded to questions from Boardmembers. Boardmembers provided comment.

Action: Moved by Boardmember da Silva, seconded by Boardmember Jordan and carried unanimously to adopt Resolution No. 12-4.

6. ADJOURNMENT

The meeting adjourned at 9:12 a.m.

LINDA SEIFERT, CHAIR

ATTEST:

DAWN G. ABRAHAMSON, SECRETARY



CHAIR
Linda Seifert

BOARDMEMBERS:
Annette Taylor, Vice-Chair
Marti Brown
Melvin Jordan
LaGuan Lea
Shane McAfee
Alvaro da Silva

**MEMO: CITY OF VALLEJO OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
TO THE FORMER VALLEJO REDEVELOPMENT AGENCY**

Date: September 20, 2012

TO: Chair and Members of the Board

FROM: Ursula Luna Reynosa, Economic Development Director

SUBJECT: APPOINTMENT OF AN AD HOC COMMITTEE FOR THE PURPOSE OF
RECOMMENDING LEGAL COUNSEL OPTIONS

RECOMMENDATION

Adopt a resolution approving the appointment of an ad hoc committee for the purpose of discussing legal counsel options and recommending a path forward to the Oversight Board.

BACKGROUND

The City of Vallejo Attorney's Office serves as counsel to the Successor Agency of the former Vallejo Redevelopment Agency (Successor Agency). Concerns that legal counsel for the Successor Agency may have a conflict of interest representing both the Successor Agency and the Oversight Board were communicated to staff. On July 12, 2012, the Oversight Board approved an Administrative Budget that covered the period of July 1, 2012 – December 31, 2012. \$10,000 was budgeted for Oversight Board legal services.

Staff is proposing that the Oversight Board create an ad hoc committee for the purpose of recommending legal counsel options that best meets the need and requirements of the Oversight Board. The legal counsel should be able to demonstrate experience in Redevelopment Law, complex real estate transactions including real property development and disposition, bond financing, and a strong understanding of AB1X 26 and AB 1484. The Ad Hoc Committee will come back to the full board with a recommended path forward.

CONTACT

Ursula Luna-Reynosa, 707-648-4382, uluna@ci.vallejo.ca.us

ATTACHMENT - Resolution

RESOLUTION NO. 12-5

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY
TO THE FORMER VALLEJO REDEVELOPMENT AGENCY, APPOINTING AN AD
HOC COMMITTEE FOR THE PURPOSE OF RECOMMENDING LEGAL COUNSEL
OPTIONS

WHEREAS, ABx1 26 (the "Dissolution Act") was enacted in late June 2011 and was held by the California Supreme Court to be largely constitutional on December 29, 2012; and

WHEREAS, pursuant to Health and Safety Code section 34173(d), the City of Vallejo ("RDA Successor Agency") is the successor agency to the former Vallejo Redevelopment Agency ("Agency"); and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency's oversight board pursuant to Health and Safety Code section 34179(a); and

WHEREAS, Health and Safety Code section 34179(c) provides that the oversight board may direct staff of the successor agency to perform work in furtherance of the oversight's board duties and responsibilities.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE DISSOLVED VALLEJO REDEVELOPMENT AGENCY DOES HEREBY RESOLVE 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. Formation of Ad Hoc Committee. Form an ad hoc committee including three members of the Oversight for the purpose of discussing legal counsel options and to make a recommendation to the entire Oversight Board on a path forward.

SECTION 3. Appointment of Ad Hoc Committee. Appoint board members, [INSERT NAME], [INSERT NAME] and [INSERT NAME] to serve on the ad hoc committee.

SECTION 4. Certification. The City Clerk of the City of Vallejo, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

SECTION 5. 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.

PASSED AND ADOPTED this 20th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda J. Seifert, Chair

ATTEST:

Dawn G. Abrahamson, Secretary



CHAIR
Linda Seifert

BOARDMEMBERS:
Annette Taylor, Vice-Chair
Marti Brown
Melvin Jordan
LaGuan Lea
Shane McAfee
Alvaro da Silva

**MEMO: OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FORMER
VALLEJO REDEVELOPMENT AGENCY**

Date: September 20, 2012

TO: Chair and Members of the Board

FROM: Ursula Luna Reynosa, Economic Development Director

SUBJECT: UPDATE ON PROPERTY DISPOSITION

RECOMMENDATION

No action. This is an informational item only.

BACKGROUND

On June 29, 2011, the Governor signed into law AB1X 26 (the Dissolution Act) and AB1X 27 relating to redevelopment. AB1X 26 immediately suspended agency activities and eliminated redevelopment agencies effective October 1, 2011. This action was subsequently challenged and the California Supreme court ruled on the challenge December 29, 2011. The Supreme Court found that the Dissolution Act was a valid action under the California Constitution. AB1X 27 was found to be unconstitutional. On June 27, 2012, AB 1484, known as the Redevelopment Trailer Bill, was passed and signed into law.

The Dissolution Act calls for successor agencies, under the direction of their oversight boards, to dispose of real property it received from the dissolved redevelopment agency either for limited public uses, or for disposition into the private market expeditiously with a view toward maximizing value, with the disposition proceeds ultimately being made available for distribution to the affected taxing entities.

AB 1484 appears to suspend this process (it is not clear if a successor agency can continue to follow the Dissolution Act path and dispose of property under oversight board direction to maximize value received for distribution to the affected taxing entities, or is instead compelled to follow the alternative path set out in AB 1484) and to provide certain flexibility and local benefits in connection with property disposition for successor agencies that receive a Department of Finance (DOF) Finding of Completion (H&S Code § 34191.3). Within six months after receipt of a Finding of Completion, a successor agency must submit a long-range property management plan for the real property of the dissolved redevelopment agency for approval by its oversight board and the DOF (H&S Code § 34191.5(b)). The property management plan must include an inventory (with specified information) about each property, and address the use or disposition of each property (H&S Code § 34191.5(c)).

Permitted uses under a property management plan include:

1. Retention of the property for governmental use;
2. Retention of the property for future development;
3. Sale of the property; and
4. Use of the property to fulfill and enforceable obligation.

Upon approval of the property management plan, the properties of dissolved redevelopment agencies are to be placed in a Community Redevelopment Property Trust Fund administered by its successor agency in accordance with the approved property management plan (H&S Code §§ 34191.4(a) and 34191.5(a)). If the property management plan calls for use or liquidation (sale to obtain revenues) of a property for a project identified in an approved redevelopment plan, that property is to be transferred to the sponsoring community (in our case, City of Vallejo) for that purpose. If the property management plan calls for the liquidation of the property or use of revenues from the property for purposes other than a project identified in a redevelopment plan or other than to fulfill and enforceable obligation, the proceeds from the sale are to be distributed as property taxes to the taxing entities (H&S Code § 34191.5(c)(2)(A) and (B)).

In short, use of property placed in the Community Redevelopment Property Trust Fund in accordance with an approved property management plan enables a successor agency and its sponsoring community to direct the use of specified properties and revenues generated from those properties for community development activities, including affordable housing, in a manners somewhat similar to the uses of property formerly implemented by the dissolved redevelopment agency.

The Finding of Completion referenced earlier in this staff report is made by the DOF after a review that the successor agency has remitted any cash assets available after payment of pass-through payments and less the amounts contained in a DOF approved Recognized Obligation Payment Schedule (ROPS). The Successor Agency to the Former Vallejo Redevelopment Agency (Vallejo Successor Agency) and the DOF currently have a dispute regarding the unencumbered Redevelopment Property Tax Trust Fund (RPTTF) remittances and therefore the Vallejo Successor Agency has not received a Finding of Completion by the DOF. Staff is working with the County Auditor Controller's (CAC) Office and the DOF to resolve this issue which will hopefully lead to a Finding of Completion. Upon receipt of the Finding of Completion, the Vallejo Success Agency will have six months to submit a property management plan to the Vallejo Oversight Board for approval.

CONTACT

Ursula Luna-Reynosa, 707-648-4382, uluna@ci.vallejo.ca.us