

CITY OF SOLANA BEACH

ACTION AGENDA

The Action Agenda of the Oversight Board Meeting is a document provided immediately following the Meeting in order to communicate the business transacted that resulting in actions taken by Board. This is a preliminary draft and not a public record. The meeting's legal record is the Minutes approved by the Board.

Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency

SPECIAL MEETING

Thursday, December 12, 2013

5:00 P. M.

City Hall, 635 S. Highway 101, Solana Beach, California

AGENDA MATERIALS

A full agenda packet including relative supporting documentation is available at City Hall and on the City's website www.cityofsolanabeach.org. Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Writings and documents regarding an agenda of an open session meeting, received after the official posting, and distributed to the Board for consideration, will be made available for public viewing at the same time. In addition, items received at least 1 hour 30 minutes prior to the meeting time will be available for public viewing. Materials submitted for consideration should be forwarded to the City Clerk's department 858-720-2400. The designated location for viewing public documents is the City Clerk's office at City Hall during normal business hours.

SPEAKERS

Please submit a speaker slip to the City Clerk/Secretary prior to the meeting, or the announcement of the Section/Item, to provide public comment.

AMERICAN DISABILITIES ACT TITLE 2

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office (858) 720-2400 at least 72 hours prior to the meeting.

As a courtesy to all meeting attendees, please set cellular phones and pagers to silent mode and engage in conversations outside the Council Chambers.

BOARD MEMBERS

Timothy P. Coughlin
San Diego County Board of Supervisors

Jeanne Deaver
Santa Fe Irrigation District

Doug Sheres, Vice Chair
San Diego County Board of Supervisors

Thomas Golich, Chair
City of Solana Beach

Myeshia Armstrong
California Community Colleges / MiraCosta

Carlos Estrella
San Diego County Board of Education

David Ott
City of Solana Beach

Kendall Berkey, General Counsel

Angela Ivey, Secretary

SPEAKERS:

Please submit a request to speak to the Secretary prior to the meeting or the announcement of the Item.

READING OF RESOLUTIONS:

Pursuant to Solana Beach Municipal Code Section 2.04.460, at the time of introduction or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Board. If any Boardmember so requests, the resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:

APPROVAL OF AGENDA:

CHAIR AND BOARDMEMBERS' COMMENTS

PUBLIC COMMENT – Non-Agenda Items

This portion of the agenda provides an opportunity for members of the public to address the Oversight Board of the Successor Agency on items relating to the Board's subject matter and not appearing on today's agenda. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the Board on public comment items. The Board may refer items for placement on a future agenda.

BOARD BUSINESS

1. Minutes of the Oversight Board.

- a. Approve the Minutes of the Oversight Board held October 17, 2013.

ACTION: Approved 4/3 (Absent: Sheres, Armstrong, Estrella)

2. Approval of Long-Range Property Management Plan for the Successor Agency. (File 0115-35)

- a. Adopt **Resolution OBSA-019**, Approving a Long-Range Property Management Plan for the Successor Agency for the Solana Beach Redevelopment Agency, Pursuant To California Health And Safety Code Section 34191.5(B).

ACTION: Approved 4/3 (Absent: Sheres, Armstrong, Estrella)

ADJOURN:

AFFIDAVIT OF POSTING:

*STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF SOLANA BEACH*

I, Angela Ivey, Secretary, of the Oversight Board to the Successor Agency and City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the December 12, 2013 Meeting was called by Oversight Board to the Successor Agency for the Redevelopment Agency of Solana Beach and was provided and posted on December 11, 2013 at 4:30 p.m. on the City Bulletin Board at the entrance to City Hall. Said meeting is held at 5:00 p.m., December 12, 2013, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, Secretary
City of Solana Beach, CA



STAFF REPORT OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE SOLANA BEACH REDEVELOPMENT AGENCY

TO: Honorable Chair and Members of the Oversight Board
FROM: David Ott, Executive Director
MEETING DATE: December 12, 2013
ORIGINATING DEPT: Successor Agency for the Solana Beach Redevelopment Agency
SUBJECT: **Approval of Long-Range Property Management Plan for the Successor Agency**

BACKGROUND:

The Successor Agency for the Solana Beach Redevelopment Agency (the "Successor Agency") received a Finding of Completion from the California Department of Finance ("DOF") on July 18, 2013, signifying that the Successor Agency had fully complied with all payment obligations under the redevelopment dissolution statutes.

Health & Safety Code Section 34191.5(b) requires that within six months of receiving a Finding of Completion, the Successor Agency must prepare a Long-Range Property Management Plan ("LRPMP") describing the use and disposition of any real properties owned by the former Solana Beach Redevelopment Agency (the "Former Agency").

The Former Agency, which was not created until 2003, never owned any real property, and consequently there is no real property for the Successor Agency to dispose of. DOF's web site states that, where the Successor Agency owns no real property, a letter explaining this to DOF will suffice, and no LRPMP need be prepared. However, DOF rejected the Successor Agency's letter and stated that the Successor Agency must obtain Oversight Board approval of an LRPMP.

DISCUSSION:

The Former Agency purchased no real property, and the Successor Agency owns no real property. Consequently, there is no real property to be disposed of, and the LRPMP simply indicates this fact.

The Successor Agency requests that the Oversight Board adopt Resolution No. OBSA-019 (Attachment 1) approving the Successor Agency's LRPMP. Exhibit A of the resolution is the LRPMP.

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| OVERSIGHT BOARD ACTION: _____ |
|---|

FISCAL IMPACT:

Because neither the Former Agency nor the Successor Agency ever owned any real property, approval of the LRPMP will have no fiscal impact whatsoever.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

OPTIONS:

- Approve staff recommendation.
- Provide direction.

SUCCESSOR AGENCY RECOMMENDATION:

The Successor Agency recommends that the Oversight Board:

- a. Adopt Resolution OBSA-019, Approving a Long-Range Property Management Plan for the Successor Agency for the Solana Beach Redevelopment Agency, Pursuant To California Health And Safety Code Section 34191.5(B).

EXECUTIVE DIRECTOR'S RECOMMENDATION:

Approve Successor Agency Recommendation

David Ott, Executive Director

Attachment 1: Resolution OBSA-019, Approving a Long-Range Property Management Plan for the Successor Agency for the Solana Beach Redevelopment Agency, Pursuant To California Health And Safety Code Section 34191.5(b).
Exhibit A: LRPMP

RESOLUTION OBSA-019

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE SOLANA BEACH REDEVELOPMENT AGENCY APPROVING A LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34191.5(b).

WHEREAS, the Solana Beach Redevelopment Agency (“Redevelopment Agency”) was a redevelopment agency in the City of Solana Beach (“City”), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (“Redevelopment Law”); and

WHEREAS, the City Council of the City has adopted a redevelopment plan for Solana Beach’s redevelopment project area; and

WHEREAS, the Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, Assembly Bill No. X1 26 (2011-2012 1st Ex. Sess.) (“AB 26”) was signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law and to the California Health and Safety Code (“Health and Safety Code”), including adding Part 1.8 (commencing with Section 34161) (“Part 1.8”) and Part 1.85 (commencing with Section 34170) (“Part 1.85”) to Division 24 of the Health and Safety Code; and

WHEREAS, pursuant to AB 26, as modified by the California Supreme Court on December 29, 2011 by its decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal affairs of the former redevelopment agencies, including disposing of “housing assets”; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-011 on January 11, 2012, pursuant to Part 1.85 of AB 26, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 (“Successor Agency”); and

WHEREAS, on February 1, 2012, the Redevelopment Agency was dissolved by operation of law and the Successor Agency was established pursuant to AB 26; and

WHEREAS, as part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 (“AB 1484”, Chapter 26, Statutes 2012). On September 29, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1585 (“AB 1585”), which further amended certain provisions of AB 26 as amended by AB 1484 (AB 26, AB 1484, and AB 1585 are collectively referred to herein as the “Dissolution Act”); and

WHEREAS, Health and Safety Code Section 34179 of the Dissolution Act establishes a seven (7) member local entity with respect to each successor agency with fiduciary responsibilities to holders of enforceable obligations and taxing entities that benefit from distributions of property taxes, and such entity is titled the “oversight board.” The oversight board has been established for the Successor Agency (hereinafter referred to as the “Oversight Board”) and all seven (7) members have been appointed to the Oversight Board pursuant to Health and Safety Code Section 34179. The duties and responsibilities of the Oversight Board are primarily set forth in Health and Safety Code Sections 34179 through 34181 of the Dissolution Act, and include approving certain actions taken by the Successor Agency and directing the Successor Agency to take certain actions, in addition to taking action on other matters pursuant to the Dissolution Act in connection with the wind down process of the former Redevelopment Agency; and

WHEREAS, by letter of July 18, 2013, the California Department of Finance (“DOF”) issued to the Successor Agency a finding of completion in accordance with Health and Safety Code Section 34179.7 (“Finding of Completion”), signifying the Successor Agency’s full compliance with specified payment obligations under the Redevelopment Act; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b) of the Dissolution Act, no later than six months following the issuance to the Successor Agency of the Finding of Completion, the Successor Agency is required to prepare a Long-Range Property Management Plan (“LRPMP”) to address the disposition and use of the real properties of the Redevelopment Agency; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b) of the Dissolution Act, the LRPMP is to be submitted to the Oversight Board and the DOF for approval; and

WHEREAS, at no time did the Redevelopment Agency own any real property, and as a consequence the Successor Agency owns no real property to be disposed of or to be used for any purpose; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency has prepared and is submitting the LRPMP to the Oversight Board; and

WHEREAS, the LRPMP states that the Redevelopment Agency at no time owned any real property, and that the Successor Agency owns no real property to be disposed of or to be used for any purpose; and

WHEREAS, the Successor Agency requests that the Oversight Board approve the LRPMP; and

WHEREAS, in accordance with the Dissolution Act, the Oversight Board desires to approve the LRPMP.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency, as follows:

SECTION 1. The foregoing recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The Oversight Board's approvals, authorizations and determinations as set forth in this Resolution are based upon the foregoing recitals, information and documents provided by the Successor Agency staff, and any comments and other information received by the Oversight Board during the public meeting on this matter held on December 12, 2013.

SECTION 3. Pursuant to Health and Safety Code Section 34179.5(b) of the Dissolution Act, the Oversight Board does hereby approve the Long Range Property Management Plan of the Successor Agency (Exhibit A, attached hereto), which provides that the Redevelopment Agency at no time owned any real property, and that, as a consequence, the Successor Agency owns no real property to be disposed of or used for any purpose.

SECTION 4. The Oversight Board hereby authorizes and directs the Executive Director, or designee, of the Successor Agency to (i) submit copies of this Resolution and actions taken herein, as approved and fully executed by the Oversight Board, to the DOF (electronically); (ii) post a copy of this Resolution and actions taken herein, as approved and fully executed by the Oversight Board, on the Successor Agency's internet website; and (iii) take all other actions necessary pursuant to the Dissolution Act to file, post, mail, or otherwise deliver by electronic mail, internet posting, and/or hardcopy all notices and transmittals necessary or convenient in connection with the actions taken by this Resolution.

SECTION 5. The Oversight Board hereby authorizes the Executive Director, or designee, of the Successor Agency to take such other actions and negotiate and execute such instruments and documents on behalf of the Successor Agency as are necessary and appropriate to confirm, implement and effectuate the Successor Agency's LRPMP.

SECTION 6. This Resolution shall take effect upon the date of its adoption, subject to the DOF's review pursuant to the Dissolution Act.

PASSED AND ADOPTED this 12th day of December, 2013, at a special meeting of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

THOMAS GOLICH, Board Chair

APPROVED AS TO FORM:

ATTEST:

KENDALL D. BERKEY, General Counsel

ANGELA IVEY, Agency Secretary

Successor Agency: Soliana Beach
 County: San Diego

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA

| No. | Property Type | HSC 34191.5 (c)(2) | | HSC 34191.5 (c)(1)(A) | | SALE OF PROPERTY | | HSC 34191.5 (c)(1)(B) | | HSC 34191.5 (c)(1)(C) | | | | |
|-----|---------------|--------------------|------------------------|-----------------------|---------------------------|-------------------------|-------------|---------------------------------|---------------------|-----------------------|---|---------|-------|----------|
| | | Permissible Use | Permissible Use Detail | Acquisition Date | Value at Time of Purchase | Estimated Current Value | Value Basis | Date of Estimated Current Value | Proposed Sale Value | Proposed Sale Date | Purpose for which property was acquired | Address | APN # | Lot Size |
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NOTHING TO REPORT

Successor Agency: Solana Beach
 County: San Diego

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY

| HSC 341 | | HSC 34191.5 (c)(1)(D) | HSC 34191.5 (c)(1)(E) | HSC 34191.5 (c)(1)(F) | HSC 34191.5 (c)(1)(G) | HSC 34191.5 (c)(1)(H) | | | |
|---------|---------------|-----------------------|----------------------------------|----------------------------|--|---|--|--|--|
| No. | Property Type | Permissible Use | Estimate of Current Parcel Value | Estimate of Income/Revenue | Contractual requirements for use of income/revenue | History of environmental contamination, studies, and/or remediation, and designation as a brownfield site | Description of property's potential for transit oriented development | Advancement of planning objectives of the successor agency | History of previous development proposals and activity |
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NOTHING TO REPORT