

NOTICE OF REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular meeting of the **Oversight Board of the Successor Agency to the City of Tracy Community Development Agency** is hereby called for:

Date/Time: **Tuesday, September 3, 2013, 3:30 p.m.**
(or as soon thereafter as possible)

Location: **City Council Chambers, City Hall**
333 Civic Center Plaza, Tracy, CA 95376

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Oversight Board on any item, before or during consideration of the item. However no action shall be taken on any item not on the agenda.

1. CALL TO ORDER
2. ROLL CALL
3. ITEMS FROM THE AUDIENCE
4. APPROVAL OF MINUTES
5. OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF TRACY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)
6. ITEMS FROM THE AUDIENCE
7. BOARD MEMBER ITEMS
8. ADJOURNMENT

August 29, 2013
Posted Date

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6000), at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Oversight Board of the Successor Agency to the City of Tracy Community Development Agency regarding any item on this agenda will be made available for public inspection in the Development Services Department located at 333 Civic Center Plaza, Tracy, California, during normal business hours.

DRAFT

OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE CITY OF TRACY
COMMUNITY DEVELOPMENT AGENCY

REGULAR MEETING MINUTES

Tuesday, April 2, 2013, 3:30 p.m.

City Council Chambers, 333 Civic Center Plaza

Web Site: www.ci.tracy.ca.us

1. CALL TO ORDER

Chair Sensibaugh called the meeting to order at 3:32 p.m.

2. ROLL CALL

Roll call found Board Members Borwick, Maciel, Thomas, and Chair Sensibaugh present; Board Members Khan and Puentes-Griffith absent.

3. ITEMS FROM THE AUDIENCE

None

4. APPROVE RESOLUTION FOR THE APPROVAL OF MINUTES

Chair Sensibaugh mentioned this is the first time he has seen a resolution necessary to approve minutes. Chair Sensibaugh questioned whether it was necessary and voiced concern that it may unnecessary work for staff.

Robert Harmon agreed and mentioned he was taking the most conservative approach and following the procedures from other Oversight Boards that approve all agency actions by resolution as indicated by the wording of the law. Mr. Harmon also stated he asked the City Attorney and it was affirmed that it may not be necessary to approve minutes by resolution.

Chair Sensibaugh agreed and mentioned it is his understanding the wording of the legislation may not have intended to include minutes approval. Chair Sensibaugh asked if the board agreed, minutes approval could be made by a motion or board order to make it easier on staff.

Vice Chair Maciel asked for clarification that two sets of minutes are being put forth for approval. Secretary Harb confirmed there are two sets of minutes for approval. The first set are minutes for the regular meeting on Tuesday, February 2, 2013 and the second set are the minutes for the special meeting on February 13, 2013.

It was moved by Board Member Maciel and seconded by Board Member Thomas to approve the February 2, 2013 and February 13, 2013 minutes by resolution. All board members in favor, resolution approved.

5. OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE COMMUNITY
DEVELOPMENT AGENCY OF THE CITY OF TRACY APPROVING PREVIOUSLY
APPROVED MEETING MINUTES OF THE OVERSIGHT BOARD

Vice Chair Maciel abstained from this item.

It was moved by Board Member Thomas and seconded by Board Member Miller to approve the previously approved meeting minutes by resolution. All board members in favor, resolution approved.

6. OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF TRACY APPROVING PRIOR RECOGNIZED OBLIGATION PAYMENT SCHEDULES (ROPS)

Mr. Harmon provided a staff reported to the board. Mr. Harmon explained that this item is to approve, through resolution, the previously approved ROPS. He mentioned the law was changed in 2012 in AB1484, which inserted one sentence that states all actions of the Oversight Board of the Successor Agency must be approved by resolution. When the previous two ROPS were approved, it was not by resolution. The Department of Finance now requires approval by resolution. The Department of Finance will no longer accept ROPS without resolution.

Chair Sensibaugh stated that the City of Stockton approves their ROPS by resolution.

Chair Sensibaugh asked if the form presented at the public meeting is the same as the form presented tonight.

Mr. Harmon stated there were no changes made to the previously approved form.

Chair Sensibaugh asked the board if all current board members previously participated in the approved of the prior two ROPS. Vice Chair Maciel stated he was not present at the first approval. Chair Sensibaugh stated each approval will be taken separately.

Board Member Maciel mentioned there is a misprint in the staff report and subsequent resolution.

Board Member Thomas motioned and Vice Chair Maciel seconded to approve resolution to as corrected. All board members in favor, resolution approved.

Chair Sensibaugh sought clarification on the need for Items from the Audience on the agenda twice. Board Member Maciel commented that he believes it to be a Brown Act requirement. Secretary Harb mentioned that the City Clerk's Office requested a correction to the agenda so that audience members were given two opportunities to address the board.

7. ITEMS FROM THE AUDIENCE

None

8. BOARD MEMBER ITEMS

Board Member Thomas stated since the Department of Finance is requesting resolutions for each action approved by the board, if there are any aspects of the minutes that impact the operation of the board to which the Department of Finance challenges, it may cause complications for the board if minutes were not recorded as approved by resolution.

Mr. Harmon stated there will be minimal work by staff to incorporate item approval by resolution. Mr. Harmon commented he will discuss with Counsel if it is possible to adopt a continuing resolution at the next meeting indicating any minutes fall under the continuing resolution. Chair Sensibaugh suggested a call to the State for clarification would be beneficial as well. Mr. Harmon agreed, and stated he will be talking to our assigned contact from the Department of Finance later in the afternoon.

Mr. Harmon mentioned it is his understanding that the Department of Finance is assembling a team that will work with all of the agencies in the county, giving continuity to the process.

Chair Sensibaugh inquired when staff anticipated having the next meeting. In his response, Mr. Harmon stated he did not see the need to meet in the next couple of months. The Department of Finance conducted a comprehensive audit and therefore we do not anticipate any complications. At this time, we are waiting for direction from the State.

Chair Sensibaugh stated the board will adjourn to the next regular meeting, cancel as needed.

9. ADJOURNMENT

It was moved by Vice Chair Maciel and seconded by Board Member Thomas to adjourn.

Time 3:48 p.m.

Chair

Successor Agency Secretary

AGENDA ITEM 5

REQUEST

OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF TRACY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)

DISCUSSION

Effective February 1, 2012, the State of California dissolved redevelopment agencies through the passage of ABX1 26 and replaced them with successor agencies. The City of Tracy City Council elected to serve as the successor agency for the former City of Tracy Community Development Agency (CDA). The City Council previously approved an Enforceable Obligation Payment Schedule (EOPS) which listed various financial obligations of the City's former CDA. The law now requires that successor agencies adopt a Recognized Obligation Payment Schedule (ROPS) listing all enforceable obligations proposed for payment and the Oversight Board approve the ROPS. Attached is the ROPS for the period January 1, 2014 to June 30, 2014. The attached ROPS schedule lists the Enforceable Obligations in a new format prescribed by the state Department of Finance (DOF).

This action will approve Recognized Obligation Payment Schedule 13-14B; which lists the various obligations of the former Tracy Community Development Agency which require payment between January 1, 2014 and June 30, 2014. The ROPS 13-14B was approved by resolution by the Successor Agency on August 20, 2013.

FISCAL IMPACT

There is no fiscal impact as a result of this staff report. Recognized obligations are paid from property tax revenue previously allocated to the City of Tracy CDA.

RECOMMENDATION

It is recommended the Oversight Board approve Recognized Obligation Payment Schedule 13-14B adopted by the Successor Agency for the former City of Tracy Community Development Agency.

Prepared by: Robert Harmon, Senior Accountant
Reviewed by: Jenny Haruyama, Administrative Services Director
Approved by: Leon Churchill, Jr., City Manager

ATTACHMENTS

Attachment 1 – Resolution Approving Recognized Obligation Payment Schedules (ROPS)
Attachment 2 – ROPS 13-14B Schedules

RESOLUTION _____

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF THE TRACY COMMUNITY DEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) OF THE TRACY COMMUNITY DEVELOPMENT AGENCY

WHEREAS, the California state legislature enacted Assembly Bill x1 26 (the "Dissolution Act") to dissolve redevelopment agencies formed under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.); and

WHEREAS, In January 2012 and pursuant to Health and Safety Code Section 34173, the City Council of the City of Tracy (the "City Council") declared that the City of Tracy, a municipal corporation (the "City"), would act as successor agency (the "Successor Agency") for the dissolved Community Development Agency of the City of Tracy (the "Former CDA") effective February 1, 2012; and

WHEREAS, on February 1, 2012, the Former CDA was dissolved pursuant to Health and Safety Code Section 34172; and

WHEREAS, the Dissolution Act provides for the appointment of an oversight board (the "Oversight Board") with specific duties to approve certain Successor Agency actions pursuant to Health and Safety Code Section 34180 and to direct the Successor Agency in certain other actions pursuant to Health and Safety Code Section 34181; and

WHEREAS, on August 1, 2011, the Former CDA adopted its latest enforceable obligation payment schedule (the "RDA EOPS") as required pursuant to Health and Safety Code Section 34169(g); and

WHEREAS, Health and Safety Code Section 34177(l)(2)(A) requires the Successor Agency to prepare a draft recognized obligation payment schedule (the "ROPS") and make associated notifications and distributions; and

WHEREAS, the ROPS must be approved by the Oversight Board pursuant to Health and Safety Code Sections 34177(l)(2)(B) and 34177(j); and

WHEREAS, all actions taken by the Oversight Board shall be adopted by Resolution pursuant to Health and Safety Code Section 34179(e); and

WHEREAS, the Successor Agency approved the ROPS 13-14B on August 20, 2013.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency of the Tracy Community Development Agency does hereby approve the Required Obligations Payment Schedule (ROPS 13-14B) for the period of January 1, 2014 to June 30, 2014.

ADOPTED September 3, 2013

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair

ATTEST:

Successor Agency Secretary

Attachment 2

Recognized Obligation Payment Schedule (ROPS 13-14B) - Summary

Filed for the January 1, 2014 through June 30, 2014 Period

Name of Successor Agency: Tracy
Name of County: San Joaquin

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A	Sources (B+C+D):	\$ -
B	Bond Proceeds Funding (ROPS Detail)	-
C	Reserve Balance Funding (ROPS Detail)	-
D	Other Funding (ROPS Detail)	-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 2,643,144
F	Non-Administrative Costs (ROPS Detail)	2,518,144
G	Administrative Costs (ROPS Detail)	125,000
H	Current Period Enforceable Obligations (A+E):	\$ 2,643,144

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	2,643,144
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column U)	-
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 2,643,144

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	2,643,144
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AB)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	2,643,144

Certification of Oversight Board Chairman:
Pursuant to Section 34177(m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

Name Title
/s/ _____
Signature Date

