



AGENDA

Oversight Board of the Successor Agency to the former Capitola Redevelopment Agency

November 19, 2013
4:00 PM

1. CALL TO ORDER/ROLL CALL

Zach Friend – Santa Cruz County Board of Supervisors
Mary Hart – Santa Cruz County Office of Education
Jeff Maxwell – Central Fire Protection District
Gayle Ortiz – Santa Cruz County Board of Supervisors' Appointment
Gary Reece – Cabrillo College Appointment
Michael Termini – Mayor's Appointment
Danielle Uharriet – Employee Representative of the Former Capitola Redevelopment Agency

2. CONSENT CALENDAR

A. Approve Minutes – September 20, 2013.

3. PUBLIC HEARINGS

General Government items are intended to provide an opportunity for public discussion of each item listed. The following procedure is followed for each General Government item: 1) Staff explanation; 2) Board questions; 3) Public comment; 4) Board deliberation; 5) Decision.

A. Approval of Long Range Property Management Plan (LRPMP) for the Successor Agency.
RECOMMENDED ACTION: Approve LRPMP.

4. PUBLIC COMMENT

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the minutes.

5. ADJOURNMENT

Adjourn to the next meeting of the Oversight Board of the City of Capitola, as Successor Agency to the former Capitola Redevelopment Agency, to be determined.

Agenda and Agenda Packet Materials: The Oversight Board for the Capitola Successor Agency Agenda and the complete agenda packet are available on the Internet at the City's website: www.ci.capitola.ca.us. Agendas are also available at the City Hall located at 420 Capitola Avenue, Capitola.

Agenda Document Review: The complete agenda packet is available at City Hall prior to the meeting. If you need more information, contact the Finance Department at 831-475-7300.

Oversight Board of the Capitola Successor Agency Agenda
Tuesday, November 19, 2013

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

MINUTES

OVERSIGHT BOARD OF THE CITY OF CAPITOLA, AS SUCCESSOR AGENCY TO FORMER CAPITOLA REDEVELOPMENT AGENCY

September 20, 2013

1. CALL TO ORDER/ROLL CALL

PRESENT: Chairperson Michael Termini
Board Members: Gayle Ortiz, Danielle Uharriet, Zach Friend, Mary Hart,
Jeff Maxwell, and Gary Reece

2. CONSENT CALENDAR

A. Approval of Minutes – June 28, 2013

*ACTION: The minutes approved. This motion was approved unanimously.
(Gary Reece delayed, not present for this vote)*

3. GENERAL GOVERNMENT/PUBLIC HEARINGS

A. Consider approving the Successor Agency Recognized Obligation Payment Schedule for the period from January 1, 2014 to June 30, 2014 (ROPS 13-14B) and associated Resolution 2013-04

ACTION: Resolution No. 2013-04 was approved. The motion was approved unanimously.

4. PUBLIC COMMENT

None

5. ADJOURNMENT

Adjourned to the next meeting, date to be determined.

Michael Termini, Chair



Item #: 3.A.

OVERSIGHT BOARD OF THE CITY OF CAPITOLA, AS SUCCESSOR AGENCY TO THE FORMER CAPITOLA REDEVELOPMENT AGENCY

MEETING OF NOVEMBER 19, 2013

FROM: CAPITOLA SUCCESSOR AGENCY

SUBJECT: APPROVAL OF LONG RANGE PROPERTY MANAGEMENT PLAN (LRPMP) FOR THE
SUCCESSOR AGENCY

RECOMMENDED ACTION:

That the Oversight Board adopt Resolution No. 2013-05, approving a Long-Range Property Management Plan for the Successor Agency of the Redevelopment Agency of the City of Capitola, pursuant to Health and Safety Code Section 34191.5(b).

BACKGROUND:

The Successor Agency of the Redevelopment Agency of the City of Capitola (the "Successor Agency") received a Finding of Completion from the California Department of Finance ("DOF") on May 24, 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 Redevelopment Agency of the City of Capitola (the "Former Agency").

The Former Agency owned only one parcel of real property, the Rispin property. The Oversight Board adopted Resolution No. 2012-06 on August 29, 2012, transferring the Rispin property to the City of Capitola as a governmental use property. The City in return cancelled a loan of \$1.35 million owed to the City from the Former Agency. DOF did not object to the action of the Oversight Board.

Consequently, there is no real property remaining 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 now states that the Successor Agency must obtain Oversight Board approval of an LRPMP.

DISCUSSION:

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

11-19-13 AGENDA REPORT: LONG RANGE PROPERTY MANAGEMENT PLAN

The Successor Agency requests that the Oversight Board adopt the attached resolution approving the Successor Agency's LRPMP.

FISCAL IMPACT:

Because the Successor Agency no longer owns any real property, approval of the LRPMP will have no fiscal impact whatsoever.

ATTACHMENT:

1. Draft Resolution 2013-05, Approving a Long-Range Property Management Plan for the Successor Agency to the Redevelopment Agency of the City of Capitola, pursuant to California Health & Safety Code Section 34191(b).
2. Long Range Property Management Plan

Report Prepared By: Tori Hannah
Finance Director

Reviewed and Forwarded
By City Manager/Executive Director _____

RESOLUTION NO. 2013-05

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

WHEREAS, the Redevelopment Agency of the City of Capitola ("Former Agency") was a redevelopment agency in the City of Capitola ("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 Former Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, pursuant to Health and Safety Code Section 34173 adopted as part of AB1x 26 (the "Dissolution Act"), the City Council of the City of Capitola declared that the City would act as successor agency (the "Successor Agency") for the Former Agency upon the dissolution of the Former Agency, effective February 1, 2012; and

WHEREAS, pursuant to AB 1484 ("AB 1484"), enacted June 27, 2012 to amend various provisions of the Dissolution Act, the Successor Agency is now declared to be a separate legal entity from the City; 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, by letter of May 24, 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 (the "Finding of Completion"), signifying the Successor Agency's full compliance with specified payment obligations under the Redevelopment Dissolution Law; 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 Former 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, 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 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 Redevelopment Agency of the City of Capitola, 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 November 19, 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 acknowledges and agrees that the only property owned by the Former Agency at the time of dissolution was a governmental use property, which was previously transferred to the City by Oversight Board Resolution No. 2012-06, adopted August 29, 2012. The Successor Agency currently 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 Health and Safety Code Section 34179(h) of the Dissolution Act.

PASSED AND ADOPTED this 19th day of November, 2013, at a meeting of the Oversight Board of the Successor Agency for the Redevelopment Agency of the City of Capitola by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Stephanie Harlan, Chairperson

ATTEST:

Su Sneddon, Secretary

