

AGENDA



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

BOARDMEMBERS:
Erin Hannigan, Chair
Annette Taylor, Vice-Chair
Pippin Dew-Costa
Melvin Jordan
LaGuan Lea
Shane McAfee
Gary Truelsen

THURSDAY, FEBRUARY 13, 2014
8:30 A.M.

CITY COUNCIL CHAMBER, 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.

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

NOTICE: Members of the public shall have the opportunity to address the Board concerning any item listed on the agenda *before or during consideration of that item. No other items may be discussed at this special meeting.*

1. CALL TO ORDER

2. ROLL CALL

3. CONSENT CALENDAR AND APPROVAL OF AGENDA

Items on the Consent Calendar are considered to be routine by the Oversight Board and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Boardmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately.

A. Approval of the Minutes from the January 16, 2014 Regular Meeting and the January 31, 2014 Special Meeting

Recommendation: By motion, approve the minutes from the January 16, 2014 regular meeting and the January 30, 2014 special meeting.
Contact: Dawn G. Abrahamson, Secretary, 648-4527

B. Adopt a Resolution Adopting a Conflict of Interest Code

Recommendation: Adopt a Resolution adopting a Conflict of Interest Code and directing staff to submit the code to the Clerk of the City Council of the City of Vallejo as the code reviewing body
Contact: Michael Roush, Legal Counsel, (925) 876-7525

- C. **Adopt Oversight Board Bylaws for the Successor Agency to the Former Vallejo Redevelopment Agency**
Recommendation: Review and consider adoption of Bylaws for the Oversight Board as presented by the Oversight Board Subcommittee
 - D. **Receive Report from Legal Counsel Regarding Personal Liability**
Recommendation: this item is for informational purposes only; no action required
Contact: Michael Roush, Legal Counsel, (925) 876-7525
4. **OLD BUSINESS – None.**
5. **NEW BUSINESS**
- A. **Adopt a Motion Approving the Successor Agency Administrative Budget for July 1, 2014 Through December 31, 2014**
Recommendation: By motion, approve the Successor Agency's Administrative Budget for July 1, 2014 through December 31, 2014
Contact: Mark Sawicki, Community & Economic Development Director, 648-4382
 - B. **Adopt a Resolution Approving the Recognized Obligations Payment Schedule for July 1, 2014 Through December 31, 2014 ("ROPS" 14-15A)**
Recommendation: Adopt a Resolution approving the Recognized Obligations Payment Schedule for July 1, 2014 through December 31, 2014 (ROPS 14-15A)
Contact: Mark Sawicki, Community & Economic Development Director, 648-4382
6. **AGENDA ITEMS FOR FUTURE MEETINGS**
- A. **Discussion of Agenda Items for Future Meetings and Future Meeting Dates**
7. **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 9:30 a.m., February 7, 2014.

Dated: February 7, 2014


Dawn Abrahamson, Secretary

CITY OF VALLEJO OVERSIGHT BOARD
FOR THE SUCCESSOR AGENCY TO THE VALLEJO REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
JANUARY 16, 2014

1. **CALL TO ORDER**

The meeting was called to order by Chair Hannigan at 8:30 a.m.

2. **ROLLCALL**

Board members Present: Chair Hannigan (Solano County Board of Supervisors' Appointee); Boardmembers Jordan (County Superintendent of Education Appointee), Lea (Chancellor of California Community College Appointee), McAfee (GVRD, largest Special District Appointee), and Truelsen (Solano County Board of Supervisors' Public Member Appointee)

Boardmembers Absent: Vice Chair Taylor (member representing Employees of Former Redevelopment Agency Appointee) and Boardmember Brown (Mayor of Vallejo Appointee)

Staff Present: Mark Sawicki, Community & Economic Development Director; Michael Roush, Legal Counsel; Dawn Abrahamson, Secretary; and Claudia Quintana, City Attorney

3. **COMMUNITY FORUM** – None.

4. **APPROVAL OF MINUTES**

A. **Approval of Minutes from the December 19, 2013 Regular Meeting**

Action: Moved by Boardmember Truelsen and carried by members present to approve the minutes

(Absent-Brown and Talyor; Abstain-McAfee)

5. **OLD BUSINESS** - None.

6. **NEW BUSINESS**

A. **Authorize the Executive Director of the Successor Agency to Execute A Settlement Agreement, Which Requires The Successor Agency To Pay \$299,000 In Redevelopment Property Tax Trust Fund Revenues, To Resolve *Triad Downtown Vallejo, LLC. v. The Redevelopment Agency of the City of Vallejo, Et. Al.*; Solano County Superior Court Case No. FCS 037433**

Recommendation: Adopt a Resolution approving, authorizing and directing the Executive Director of the Successor Agency ("Successor Agency") to the former Redevelopment Agency of the City of Vallejo ("RDA") to execute a Settlement Agreement to resolve *Triad Downtown Vallejo, LLC. v. the Redevelopment Agency of the City of Vallejo, et al.*; Solano County Superior Court Case No. FCS 037433 ("Action"). Under the Settlement Agreement, Triad Downtown Vallejo, LLC ("Triad") will dismiss the Action with prejudice and execute Quit Claim Deeds releasing all of Triad's rights, title and interest to the parcels referenced in the Disposition and Development Agreement between Triad and the Redevelopment Agency ("DDA") in exchange for the Successor Agency's payment of \$299,000 in Redevelopment Property Tax Trust Fund ("RPTTF") revenues, the City's release of a \$500,000 Letter of Credit for the I-80/Downtown project and a \$120,000 Letter of Credit for the Hiddenbrooke Fire Station project, and the City's waiver of an outstanding plan check fee in the amount of

\$91,000

Contact: Claudia Quintana, City Attorney for the City of Vallejo & the Successor Agency,

City Attorney Quintana provided an overview of the staff report and outlined the proposed recommendation. Staff responded to questions from Boardmembers. Boardmembers provided comment.

Action: It was moved by Boardmember Truelsen and seconded by Boardmember Lea to continue the item and direct staff to return with information on the seven separate real property parcels as provided for in the original Disposition and Development Agreement to include impact on taxing entities and proposed disposition. ***Motion failed to pass due to lack of majority vote*** (Ayes-Jordan, Lea, and Truelsen; Noes-Hannigan and McAfee; Absent-Brown and Taylor)

Another question and answer period followed between Boardmembers and staff.

Action: Moved by Boardmember McAfee to adopt a Resolution approving, authorizing and directing the Executive Director of the Successor Agency ("Successor Agency") to the former Redevelopment Agency of the City of Vallejo ("RDA") to execute a Settlement Agreement to resolve *Triad Downtown Vallejo, LLC. v. the Redevelopment Agency of the City of Vallejo, et al.*; Solano County Superior Court Case No. FCS 037433 ("Action"). Under the Settlement Agreement, Triad Downtown Vallejo, LLC ("Triad") will dismiss the Action with prejudice and execute Quit Claim Deeds releasing all of Triad's rights, title and interest to the parcels referenced in the Disposition and Development Agreement between Triad and the Redevelopment Agency ("DDA") in exchange for the Successor Agency's payment of \$299,000 in Redevelopment Property Tax Trust Fund ("RPTTF") revenues, the City's release of a \$500,000 Letter of Credit for the I-80/Downtown project and a \$120,000 Letter of Credit for the Hiddenbrooke Fire Station project, and the City's waiver of an outstanding plan check fee in the amount of \$91,000. ***Motion failed to pass due to lack of majority vote.*** (Ayes-Hannigan, Jordan and McAfee; Noes-Lea and Truelsen; Absent-Brown and Taylor)

Action: Moved by Boardmember McAfee and carried by members present to continue this item to a special meeting scheduled for 10 a.m., Friday, January 31, 2014 and directed staff to make a good faith effort in bringing back information on the seven separate real property parcels as provided for in the original Disposition and Development Agreement to include impact on taxing entities and proposed disposition. (Absent: Brown and Taylor)

B. Consideration of Errors and Omissions Insurance As Requested by Boardmember Truelsen

Recommendation: Discussion regarding obtaining Errors and Omissions Insurance for the Oversight Board. Upon conclusion, take the appropriate action to direct staff or counsel regarding next steps.

Legal Counsel Roush provided context for the purpose of Errors and Omission Insurance and recommended that he provide a presentation to the Board at its next regular meeting.

C. Discussion Regarding Oversight Board Statement of Purpose As Requested by Boardmember Truelsen

Recommendation: Discussion regarding a Statement of Purpose for the Oversight Board and upon conclusion, take the appropriate action to direct staff regarding next steps

Boardmember Truelsen provided context in terms of a Statement of Purpose that could be incorporated into bylaws with an emphasis on providing the framework for who the Oversight Board is and its efforts in ensuring transparency. It was also suggested that the Statement of Purpose be included on the Oversight Board web page.

Action: By consensus of Boardmembers present, the sub-committee comprised of Boardmembers Truelsen, Lea and Jordan were directed to continue to work on a set of bylaws that would include a Statement of Purpose, and to return to the full Board for consideration and adoption at a future meeting.

7. AGENDA ITEMS FOR FUTURE MEETINGS

A. Discussion of Agenda Items for Future Meetings and Future Meeting Dates

Chair Hannigan requested that in addition to herself as the Chair that one additional boardmember review draft agendas before they are finalized. She also requested that draft agendas be provided to her for review at least four days prior to the Friday distribution and posting of the final agenda packet.

Boardmember Truelsen requested that the February 20 agenda contain the following items:

- Errors and Omissions Insurance Presentation by Legal Counsel
- Statement of Purpose as part of the Oversight Board Bylaws
- Line Item Budget
- Description of Contract Debt
- On Line Property Management Plan. Staff noted that this item may not be presented to the Oversight Board until its March meeting.

9. ADJOURNMENT

The meeting adjourned at 9:52 a.m.

ERIN HANNIGAN, Chair

DAWN G. ABRAHAMSON, Secretary

CITY OF VALLEJO OVERSIGHT BOARD
FOR THE SUCCESSOR AGENCY TO THE VALLEJO REDEVELOPMENT AGENCY
SPECIAL MEETING MINUTES
JANUARY 31, 2014

1. **CALL TO ORDER**

The meeting was called to order by Chair Hannigan at 10:00 a.m.

2. **ROLLCALL**

Board members Present: Chair Hannigan (Solano County Board of Supervisors' Appointee); Boardmembers Dew-Costa (Mayor of Vallejo Appointee), Jordan (County Superintendent of Education Appointee), Lea (Chancellor of California Community College Appointee), McAfee (GVRD, largest Special District Appointee), and Truelsen (Solano County Board of Supervisors' Public Member Appointee)

Boardmembers Absent: Vice Chair Taylor (member representing Employees of Former Redevelopment Agency Appointee)

Staff Present: Mark Sawicki, Community & Economic Development Director; Leslie Trybull, Acting Secretary; Claudia Quintana, City Attorney; and J. Leah Castella, special legal counsel

3. **OLD BUSINESS - None.**

A. **Authorize the Executive Director of the Successor Agency to Execute A Settlement Agreement, Which Requires The Successor Agency To Pay \$299,000 In Redevelopment Property Tax Trust Fund Revenues, To Resolve *Triad Downtown Vallejo, LLC. v. The Redevelopment Agency of the City of Vallejo, Et. Al.*; Solano County Superior Court Case No. FCS 037433**

Recommendation: Adopt a Resolution approving, authorizing and directing the Executive Director of the Successor Agency ("Successor Agency") to the former Redevelopment Agency of the City of Vallejo ("RDA") to execute a Settlement Agreement to resolve *Triad Downtown Vallejo, LLC. v. the Redevelopment Agency of the City of Vallejo, et al.*; Solano County Superior Court Case No. FCS 037433 ("Action"). Under the Settlement Agreement, Triad Downtown Vallejo, LLC ("Triad") will dismiss the Action with prejudice and execute Quit Claim Deeds releasing all of Triad's rights, title and interest to the parcels referenced in the Disposition and Development Agreement between Triad and the Redevelopment Agency ("DDA") in exchange for the Successor Agency's payment of \$299,000 in Redevelopment Property Tax Trust Fund ("RPTTF") revenues, the City's release of a \$500,000 Letter of Credit for the I-80/Downtown project and a \$120,000 Letter of Credit for the Hiddenbrooke Fire Station project, and the City's waiver of an outstanding plan check fee in the amount of \$91,000

Contact: Claudia Quintana, City Attorney for the City of Vallejo & the Successor Agency,

City Attorney Quintana and special legal counsel Castella presented background information and reasons for the proposed recommendation. Staff responded to questions from Boardmembers. Boardmembers provided comment.

Action: Moved by Boardmember Jordan and carried by members present, to adopt Resolution 14-1 approving, authorizing and directing the Executive Director of the Successor Agency ("Successor Agency") to the former Redevelopment Agency of the City of Vallejo ("RDA") to execute a Settlement Agreement to resolve *Triad Downtown*

Vallejo, LLC. v. the Redevelopment Agency of the City of Vallejo, et al.; Solano County Superior Court Case No. FCS 037433 ("Action"). Under the Settlement Agreement, Triad Downtown Vallejo, LLC ("Triad") will dismiss the Action with prejudice and execute Quit Claim Deeds releasing all of Triad's rights, title and interest to the parcels referenced in the Disposition and Development Agreement between Triad and the Redevelopment Agency ("DDA") in exchange for the Successor Agency's payment of \$299,000 in Redevelopment Property Tax Trust Fund ("RPTTF") revenues, the City's release of a \$500,000 Letter of Credit for the I-80/Downtown project and a \$120,000 Letter of Credit for the Hiddenbrooke Fire Station project, and the City's waiver of an outstanding plan check fee in the amount of \$91,000. (Absent-Taylor)

Community & Economic Development Director Sawicki reminded the Board that the next meeting would be held on February 13 at 8:30 a.m.

4. ADJOURNMENT

The meeting adjourned at 10:12 a.m.

ERIN HANNIGAN, Chair

LESLIE TRYBULL, Acting Secretary



Consent 3B

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

DATE: February 13, 2014
TO: Chairperson and Members of the Oversight Board
FROM: Michael H. Roush, Legal Counsel
SUBJECT: ADOPTION OF CONFLICT OF INTEREST CODE

RECOMMENDATION

Adopt a resolution adopting a Conflict of Interest Code and directing staff to submit the Code to the Clerk of the City Council of the City of Vallejo as the code reviewing body.

REASONS FOR RECOMMENDATION

The Oversight Board is subject to the Political Reform Act and regulations promulgated by the Fair Political Practices Commission (FPPC). These require a newly established public entity to adopt a conflict of interest code. The Oversight Board may adopt by reference the model conflict of interest code set forth in Section 18730 of Title 2 of the California Code of Regulations.

Attached is a resolution that adopts the model code prepared by the FPPC. If the Board adopts the model code, staff is directed to submit the Code to the Vallejo City Council in its capacity as code reviewing body for the Oversight Board.

If Board members have not submitted a Form 700 concerning their membership on the Board, they should do so as soon as possible. The Form should be submitted to the Vallejo City Clerk.

ATTACHMENT

A. Resolution

CONTACT

Michael Roush, Legal Counsel, 925-876-7525

VALLEJO SUCCESSOR AGENCY OVERSIGHT BOARD

RESOLUTION NO. 2014-XX

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF VALLEJO ADOPTING A CONFLICT OF INTEREST CODE FOR THE OVERSIGHT BOARD AND DIRECTING STAFF TO SUBMIT IT TO THE VALLEJO CITY COUNCIL AS THE CODE REVIEWING BODY PURSUANT TO THE CALIFORNIA POLITICAL REFORM ACT

WHEREAS, the Oversight Board to the Successor Agency of the dissolved Vallejo Redevelopment Agency (“the Oversight Board”) has been appointed pursuant to the provisions of Health & Safety Code Section 34179; and

WHEREAS, the Oversight Board is deemed a local entity for purposes of the Political Reform Act; and

WHEREAS, pursuant to the Political Reform Act and regulations promulgated thereunder by the Fair Political Practices Commission of the State of California (FPPC), a newly established local entity is required to adopt a conflict of interest code; and

WHEREAS, the Oversight Board finds and determines that it is appropriate to adopt as its conflict of interest code the model conflict of interest code promulgated by the FPPC as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board as follows:

SECTION 1. Pursuant to the Political Reform Act of 1974, Government Code Sections 87300 et seq., and Section 18730 of Title 2 of the California Code of Regulations, the Oversight Board adopts the model conflict of interest code promulgated by the FPPC as set forth in Section 18730 of Title 2 of the California Code of Regulations. The model conflict of interest code, incorporated herein by reference, together with the list of designated positions and the applicable disclosure categories set forth in Sections 4 and 5 of this Resolution, constitutes the Oversight Board’s conflict of interest code. The model conflict of interest code may be amended from time to time by State law, regulatory action of the FPPC, or judicial determinations and such amendments shall be deemed automatically incorporated into the Oversight Board’s Code and Resolution. Nothing in this Resolution shall supersede the independent applicability of Government Code Section 87200.

SECTION 2. The definitions contained in the Political Reform act of 1974 and in the regulations of the FPPC, as they may be amended from time to time, are incorporated by reference into this Conflict of Interest Code.

SECTION 3. The code reviewing body for this Conflict of Interest Code shall be the City Council of the City of Vallejo. After its adoption, the Oversight Board's communication officer shall promptly submit this Conflict of Interest Code to the Vallejo City Clerk.

SECTION 4. The following are the designated Oversight Board positions that make or participate in the making of decisions which may foreseeably have a material effect on financial interests: Oversight Board Members, Oversight Board Communication Officer, Oversight Board Legal Counsel. The holders of these positions shall be required to file statements of economic interests with the Vallejo City Clerk.

SECTION 5. Each person holding a designated positions set forth in Section 4 shall report in every disclosure category set forth in the statement of economic interests promulgated by the FPPC to the extent such category is applicable. The disclosure categories as promulgated by the FPPC may be amended from time to time, and such amendments shall not require an amendment to this Code or Resolution.

SECTION 6. Sections 4 and 5 of this Resolution constitute the Appendix referred to in subdivision (b)(2) of Section 18730 of Title 2 of the California Code of Regulations.

SECTION 7. Nothing in this Resolution is intended to modify or abridge the provisions of the Political Reform Act, Government Code Sections 87000 et seq., or FPPC regulations, Title 2 California Code of Regulations, including Section 18700 et seq. This Resolution shall be interpreted in a manner consistent with the Political Reform Act and FPPC regulations. The provisions of the Political Reform Act and FPPC regulations shall govern in the event of any inconsistency with this Resolution.

SECTION 8. Successor Agency staff is directed to submit this Conflict of Interest Code to the Vallejo City Council, the code reviewing body pursuant to Government Code Section 82011(b).

SECTION 9. If any provisions, sentence, clause, section, or part of this Resolution is found to be unconstitutional, illegal or invalid, such finding shall affect only such provision, sentence, clause, section, or part, and shall not affect or impair any of the remaining parts.

SECTION 10. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

ADOPTED on February 13, 2014, by the Members of the Oversight Board of the Successor Agency for the Dissolved Redevelopment Agency of the City of Vallejo, with the following vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Approved as to form:

Counsel

Chair

BYLAWS

OVERSIGHT BOARD
FOR THE
SUCCESSOR AGENCY CITY OF VALLEJO
(Successor Agency of the Former Redevelopment Agency
of the City of Vallejo)

ARTICLE I - THE OVERSIGHT BOARD

Section 1. **Name of Oversight Board**

The name of the Oversight Board shall be the “Oversight Board for the Successor Agency City of Vallejo” (hereinafter referred to as the “Board”).

Section 2. **Purpose**

The Board shall perform the duties described in Chapter 4 (commencing with Section 34179) of Part 1.85 of Division 24 of the Health and Safety Code in connection with the winding down of the affairs of the former Redevelopment Agency of the City of Vallejo (hereinafter the “Redevelopment Agency”) by the City of Vallejo in its capacity as the successor agency of the former Redevelopment Agency (hereinafter the “Successor Agency”).

a. **Duties and Responsibilities**

The duties and responsibilities of the Board are to direct the Successor Agency to do all of the following:

- (1) Dispose of all assets and properties of the former Redevelopment Agency that were funded by tax increment revenues expeditiously and in a manner aimed at maximizing value; provided, however, that the Board may instead direct the Successor Agency to transfer ownership of those assets that were constructed and used for a governmental purpose to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset, with any compensation for the asset governed by the agreements relating to the construction or use of that asset;
- (2) Cease performance in connection with and terminate all existing agreements that do not qualify as enforceable obligations, as that term is defined in subdivision (d) of Section 34171 of the Health and Safety Code;

- (3) Transfer housing responsibilities and all rights, powers, duties and obligations related thereto to the entity designated by the City of Vallejo pursuant to Section 34176 of the Health and Safety Code;
- (4) Terminate any agreement between the former Redevelopment Agency and any public entity located in the County of Solano that obligates the former Redevelopment Agency to provide funding for any debt service obligations of the public entity or for the construction or operation of facilities owned or operated by such public entity, in any instance where the Board finds that early termination would be in the best interests of the taxing entities; and
- (5) Determine whether any contracts, agreements or other arrangements between the former Redevelopment Agency and any private parties should be terminated or renegotiated to reduce liabilities and increase net revenues to the taxing entities, and present proposed termination or amendment agreements to the Board for consideration and approval; the Board may approve any amendments to or early termination of such agreements where it finds that amendments or early termination would be in the best interests of the taxing entities.

b. Approvals Required

The following actions of the Successor Agency shall first be approved by the Board:

- (1) The establishment of new repayment terms for outstanding loans where the terms have not been specified prior to February 1, 2012;
- (2) Refunding of outstanding bonds or other debt of the former Redevelopment Agency by the Successor Agency in order to provide for savings or to finance debt service spikes; provided, however, that no additional debt is created and debt service is not accelerated;
- (3) Setting aside of amounts in reserves as required by indentures, trust indentures, or similar documents governing the issuance of outstanding bonds of the former Redevelopment Agency;
- (4) Merging of project areas of the former Redevelopment Agency;
- (5) Continuing the acceptance of federal or state grants, or other forms of financial assistance from either public or private sources, where assistance is conditioned upon the provision of matching funds by the Successor Agency, as successor to the former Redevelopment Agency, in an amount greater than five percent (5%);

- (6) Agreements between the City of Vallejo and other taxing entities permitting the City of Vallejo to retain properties of the former Redevelopment Agency in exchange for compensation as determined by subdivision (f) of Section 34180 of the Health and Safety Code;
- (7) Establishment of the recognized obligation payment schedule pursuant to Section 34177 of the Health and Safety Code;
- (8) A request by the Successor Agency to enter into an agreement with the City of Vallejo; and
- (9) A request by the Successor Agency or a taxing entity to pledge, or to enter into an agreement for the pledge of, property tax revenues pursuant to subdivision (b) of Section 34178 of the Health and Safety Code.

c. Review by State Department of Finance

The State Department of Finance (hereinafter "DOF") may review any action of the Board. The Board shall designate an official to be the point of contact between the Board and DOF, and shall provide his/her telephone and email contact information to DOF. Actions taken by the Board shall not be effective for three (3) business days, pending a request for review by DOF. In the event that DOF requests review of an action taken by the Board, DOF shall have ten (10) days from the date of its request to approve the action or return it to the Board for reconsideration, with suggested modifications. In the event that DOF returns the action to the Board for reconsideration, the Board shall consider the modified action, and resubmit the modified action to DOF for approval; the modified action shall not become effective until approved by DOF.

Section 3. Membership/Duration

a. Total Membership/Appointment

The total membership of the Board shall be seven (7), selected as follows:

- (1) One member shall be appointed by the Board of Supervisors of the County of Solano;
- (2) One member shall be appointed by the Mayor of the City of Vallejo;
- (3) One member shall be appointed by the largest, by property tax share, special district (as defined in Revenue and Taxation Code Section 95) with territory in the territorial jurisdiction of the former Redevelopment Agency;
- (4) One member, to represent schools, shall be appointed by the elected County of Solano Superintendent of Education or, if the County

Superintendent is appointed, then this member shall be appointed by the County of Solano Board of Education;

- (5) One member shall be appointed by the Chancellor of the California Community Colleges to represent community college districts in the County of Solano;
- (6) One member shall be a member of the public appointed by the Board of Supervisors of the County of Solano; and
- (7) One member, to represent the employees of the former Redevelopment Agency, shall be appointed by the Mayor of the City of Vallejo from the recognized employee organization representing the largest number of former Redevelopment Agency employees employed by the Successor Agency at the time of appointment.

The Governor may appoint individuals to fill any member position identified herein that has not been filled by May 15, 2012. Following its initial formation, the Board shall report the names of its officers and other members to DOF.

The members shall serve without compensation and without reimbursement for expenses. Each member shall serve at the pleasure of the entity that appointed such member.

b. Duration

The Board shall be and remain established until the sooner of (1) the date that all indebtedness of the former Redevelopment Agency has been repaid, or (2) July 1, 2016, at which time the Board shall be dissolved and replaced by a single oversight board for all successor agencies within the County of Solano.

Section 4. Local Entity

Pursuant to subdivision (e) of Section 34179 of the Health and Safety Code, the Board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974.

Section 5. Personal Immunity

Board members shall have personal immunity from suit for their actions taken within the scope of their responsibilities as members of the Board.

Section 6. Fiduciary Responsibilities

Board members shall have fiduciary responsibilities to holders of enforceable obligations, as that term is defined in subdivision (d) of Section 34171 of the Health and Safety Code, and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of the Health and Safety Code.

Section 7. Resignation

Any Board member may resign at any time by giving written notice to the Chair, who shall forward such notice to the Successor Agency and to DOF. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

Section 8. Filling of Vacancies

In the event of a vacancy on the Board, the appointing entity for the vacant seat shall select a member to fill such vacancy as soon as reasonably practicable, provided, however, that the Governor may appoint individuals to fill any member position that remains vacant for more than sixty (60) days.

Section 9. Staff

The Board may direct the staff of the Successor Agency to perform work in furtherance of the duties and responsibilities of the Board including, without limitation, designating a clerk to perform clerical duties in support of the Board (“Clerk”). Such duties shall include preparing agendas and minutes and keeping a record of the meetings of the Board in a journal of proceedings, posting notices of meetings, attesting to documents, and such other duties as directed by the Board. The Successor Agency shall pay for the staff services required by the Board and all of the costs of the meetings of the Board and may include those costs in the administrative budget of the Successor Agency.

ARTICLE II - OFFICERS

Section 1. Officers

The officers of the Board shall consist of a Chair and a Vice Chair, who shall be elected in the manner set forth in this Article II.

Section 2. Chair

The Chair shall preside at all meetings of the Board, and shall submit such agenda, recommendations and information at such meetings as are reasonable and proper for the conduct of the business affairs and policies of the Board. The Chair shall sign all documents necessary to carry out the business of the Board.

Section 3. Vice Chair

The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. In the event of the death, resignation or removal of the Chair, the Vice Chair shall assume the Chair's duties until such time as the Board shall elect a new Chair.

Section 4. Additional Duties

The officers of the Board shall perform such other duties and functions as may from time to time be required by the Board, these Bylaws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

Section 5. Election

The Chair and Vice Chair shall be elected from among the members of the Board at the first regular meeting of the Board. Thereafter, the Chair and Vice Chair shall be elected from among the members of the Board at each annual meeting. Each officer shall hold office until the next annual meeting of the Board following his/her election and until his/her successor is elected and in office. Any such officer shall not be prohibited from succeeding himself or herself, but no person shall be elected as an officer for more than two consecutive terms.

Section 7. Vacancies

Should the office of the Chair or Vice Chair become vacant, the Board shall elect a successor from among the Board members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

ARTICLE III - MEETINGS

Section 1. Annual Meetings

Annual meetings shall be held on the third Thursday in June of each year at the hour of 8:30 a.m., at Council Chambers, 555 Santa Clara St, Vallejo, California, provided, however, that should said date be a legal holiday, then any such annual meeting shall be held on the next business day thereafter ensuing which is not a legal holiday. At annual meetings, the Chair and Vice Chair shall be elected; reports of the affairs of the Board shall be considered; and any other business may be transacted which is within the purposes of the Board. Notice of an annual meeting shall be provided in accordance with Section 6 below.

Section 2. Regular Meetings

The Board shall meet regularly on the third (Thursday) of each month, at the hour of 8:30 a.m., at Council Chambers, 555 Santa Clara St, Vallejo, California. In the event that the regular meeting date shall be a legal holiday, then any such regular meeting shall be held on the next business day thereafter ensuing that is not a legal holiday. A notice, agenda and other

necessary documents shall be delivered to the members, personally or by mail, at least seventy-two (72) hours prior to the meeting.

Section 3. Special Meetings

Special meetings may be held upon call of the Chair, or an affirmative vote by a majority of the members of the Board present at a regular or special meeting of the Board at which a quorum is present, for the purpose of transacting any business designated in the call, after notification of all members of the Board by written notice personally delivered or by mail at least twenty-four (24) hours before the time specified notice for a special meeting. At such special meeting, no business other than that designated in the call shall be considered.

Section 4. Adjourned Meetings

Any meeting of the Board may be adjourned to an adjourned meeting without the need for notice requirements of a special meeting, provided the adjournment indicates the date, time and place of the adjourned meeting. Board members absent from the meeting at which the adjournment decision is made shall be notified by the Chair of the adjourned meeting.

Section 5. All Meetings to be Open and Public

All meetings of the Board shall be open and public to the extent required by law. All persons shall be permitted to attend any such meetings, except as otherwise provided by law.

Section 6. Posting Agendas/Notices

The Clerk of the Board, or his/her authorized representative, shall post an agenda for each regular Board meeting or a notice for each special Board meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at 555 Santa Clara St, Vallejo, California (in a location readily accessible to the public) at least seventy-two (72) hours in advance of each regular meeting and at least twenty-four (24) hours in advance of each special meeting.

All notices required by law for proposed actions by the Board shall also be posted on the Successor Agency's internet web site or the Board's internet web site, if one exists.

Section 7. Right of Public to Appear and Speak

At every regular meeting, members of the public shall have an opportunity to address the Board on matters within the Board subject matter jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment; provided, however, that the Board may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda.

The Chair may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker.

Section 8. Non-Agenda Items

Matters brought before the Board at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by the Board at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Gov. Code §54950 et seq.). Those non-agenda items brought before the Board which the Board determines will require Board consideration and action and where Board action at that meeting is not so authorized shall be placed on the agenda for the next regular meeting.

Section 9. Quorum

The powers of the Board shall be vested in the members thereof in office from time to time. A majority of the total membership of the Board shall constitute a quorum for the purpose of conducting the business of the Board, exercising its powers and for all other purposes, but less than that number may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the total membership of the Board shall be required for approval of any questions brought before the Board.

Section 10. Order of Business

All business and matters before the Board shall be transacted in conformance with Rosenberg's Rules of Order, Revised.

Section 11. Minutes

Minutes of the meetings of the Board shall be prepared in writing by the Clerk of the Board. Copies of the minutes of each Board meeting shall be made available to each member of the Board and the Successor Agency. Approved minutes shall be filed in the official book of minutes of the Board.

Section 12. Preparation of Agenda

The staff of the Successor Agency shall be responsible for the preparation of the Agenda. Any Board Member, in consultation with the Chair, may request that an item be placed on a future agenda.

Section 13. Delivery of Agenda

The Agenda and related staff reports will ordinarily be delivered to Board Members via email or mail on the Thursday preceding the meeting to which it pertains.

The Agenda and staff reports shall also be available to the general public at the time it is delivered to Board Members.

Section 14. **Motion to Reconsider**

Any Board Member who voted with the majority may move a reconsideration of any action at the same meeting. If the motion to reconsider passes, then the original item may be reconsidered at that time or agendaized for the next meeting which meets any applicable noticing requirements. After a motion for reconsideration has once been acted upon, no other motion for reconsideration may be made without unanimous consent of the Oversight Board.

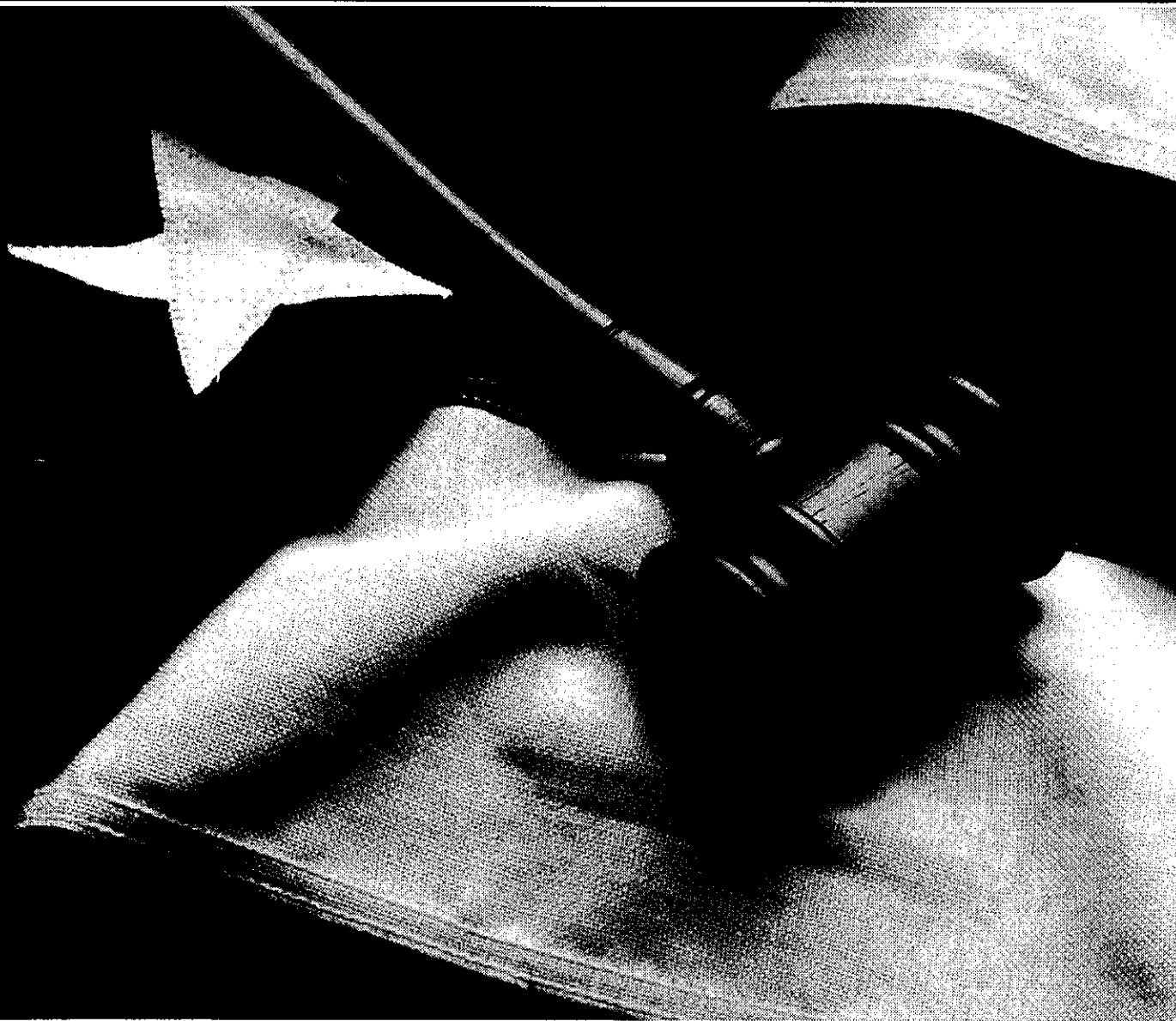
ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES

Any official representations on behalf of the Board before the Successor Agency, the Solano County Auditor-Controller, the State Controller, DOF, or any other public body shall be made by the Chair or the Chair's designee.

ARTICLE V - AMENDMENTS

These Bylaws may be amended upon an affirmative vote by a majority of the total membership of the Board, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the Board. Notice of the amendment shall identify the section or sections of these Bylaws proposed to be amended. The Successor Agency shall be notified of any amendments to these Bylaws.

Rosenberg's Rules of Order:
Simple Parliamentary
Procedures for the 21st Century

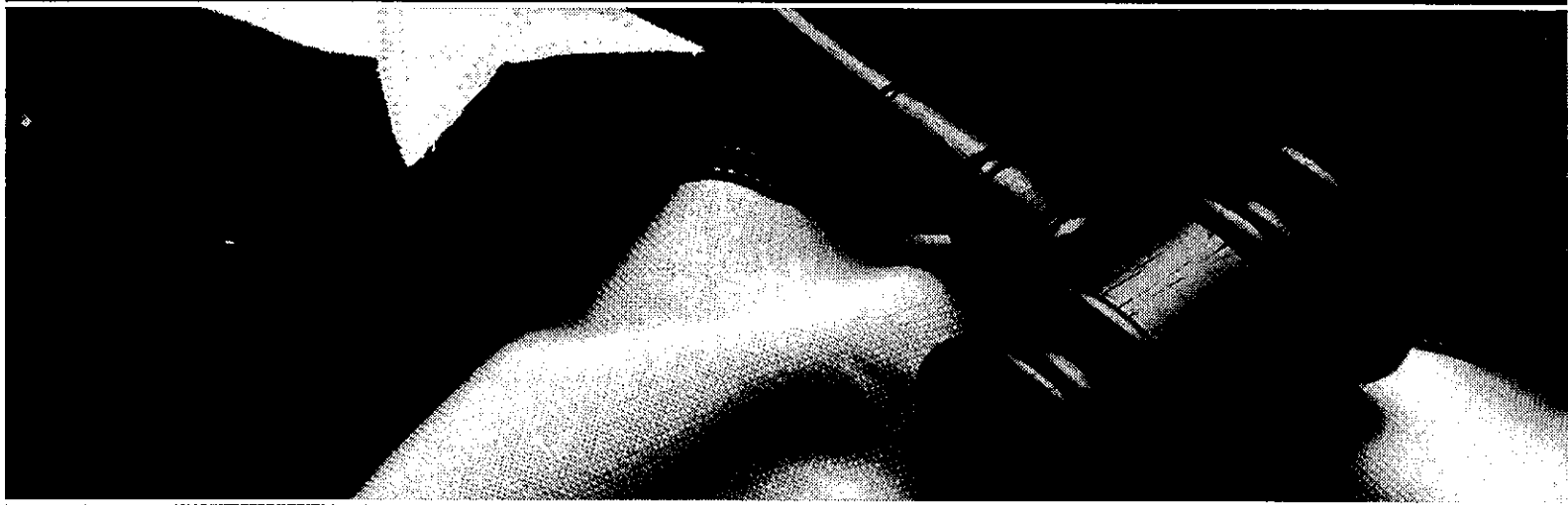


MISSION:

To restore and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION:

To be recognized and respected as the leading advocate for the common interests of California cities.



About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts educational conferences and research, and publishes *Western City* magazine.

About *Western City* Magazine

Western City is the League of California Cities' monthly magazine. *Western City* provides lively, interdisciplinary analyses of issues affecting local governance. Its goal is to offer immediately practical ideas, information and bigger-picture policy issues and trends. For more information, visit www.westerncity.com.

"Rosenberg's Rules of Order" first appeared in *Western City* magazine in August and September 2003.

About the Author

Dave Rosenberg is an elected county supervisor representing the 4th District in Yolo County. He also serves as director of community and intergovernmental relations, director of operations, and senior advisor to the governor of California. He has served as a member and chair of numerous state and local boards, both appointed and elected, and also served on the Davis City Council for 12 years, including two terms as mayor. He has taught classes on parliamentary procedure and has served as parliamentarian for large and small governing bodies. In the fall of 2003, Gov. Davis appointed Rosenberg as a judge of the Yolo County Superior Court.

Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century

by Dave Rosenberg

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that hasn't always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules, *Robert's Rules of Order*, which are embodied in a small but complex book. Virtually no one I know has actually read this book cover to cover.

Worse yet, the book was written for another time and purpose. If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook. On the other hand, if you're running a meeting of a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order. Hence, the birth of "Rosenberg's Rules of Order."

This publication covers the rules of parliamentary procedure based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified and slimmed down for 21st century meetings, yet they retain the basic tenets of order to which we are accustomed.

"Rosenberg's Rules of Order" are supported by the following four principles:

1. Rules should establish order. The first purpose of the rules of parliamentary procedure is to establish a

framework for the orderly conduct of meetings.

2. Rules should be clear. Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate and those who do not fully understand and do not fully participate.

3. Rules should be user-friendly. That is, the rules must be simple enough that citizens feel they have been able to participate in the process.

4. Rules should enforce the will of the majority while protecting the rights of the minority. The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

The Chairperson Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedure, it is the chairperson (chair) who is charged with applying the rules of conduct. The chair should be well versed in those

rules, because the chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the chair are final unless overruled by the governing body itself.

Because the chair conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the body in debates and discussions. This does *not* mean that the chair should not participate in the debate or discussion. On the contrary, as a member of the body, the chair has full rights to participate in debates, discussions and decision-making. The chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, published agenda; informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon road map for the meeting. And each agenda item can be handled by the chair in the following basic format.

First, the chair should clearly announce the agenda item number and should clearly state what the subject is. The chair should then announce the format that will be followed.

Second, following that agenda format, the chair should invite the appropriate people to report on the item, including any recommendation they might have. The appropriate person may be the chair, a member of the governing body,

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire to move on.

a staff person, or a committee chair charged with providing information about the agenda item.

Third, the chair should ask members of the body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

Fourth, the chair should invite public comments or, if appropriate at a formal meeting, open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of each public speaker. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion from the governing body members. The chair should announce the name of the member who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member who seconds the motion. It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and a vote on the motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion. This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the members of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then the "nays" is normally sufficient. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise or unless a super-majority is required (as delineated later in these rules), a simple majority determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days' notice for all future meetings of this governing body."

Motions in General

Motions are the vehicles for decision-making. It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus on the motion before them.

Motions are made in a simple two-step process. First, the chair recognizes the member. Second, the member makes a motion by preceding the member's desired approach with the words: "I move ..." A typical motion might be: "I move that we give 10 days' notice in the future for all our meetings."

The chair usually initiates the motion by:

1. Inviting the members to make a motion: "A motion at this time would be in order."
2. Suggesting a motion to the members: "A motion would be in order that we give 10-days' notice in the future for all our meetings."
3. Making the motion.

As noted, the chair has every right as a member of the body to make a motion, but normally should do so only if he or she wishes a motion to be made but no other member seems willing to do so.

The Three Basic Motions

Three motions are the most common:

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."
2. **The motion to amend.** If a member wants to change a basic motion that is under discussion, he or she would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

3. **The substitute motion.** If a member wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she would "move a substitute motion." A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

A motion to amend seeks to retain the basic motion on the floor, but to modify it in some way.

A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it.

The decision as to whether a motion is really a motion to amend or a substitute motion is left to the chair. So that if a member makes what that member calls a motion to amend, but the chair determines it is really a substitute motion, the chair's designation governs.

When Multiple Motions Are Before The Governing Body

Up to three motions may be on the floor simultaneously. The chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions and seconds) at the same time, the *first* vote should be on the *last* motion made. So, for example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee, to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows.

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passes*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be complete. No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) *failed*, the chair would proceed to consideration of the second (now the last) motion on the floor, the motion to amend.

If the substitute motion failed, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would now move to consider the main motion (the first motion) as *amended*. If the motion to amend failed, the chair would now move to consider the main motion (the first motion) in its original format, not amended.

The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee) or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are *not* debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess, which may range from a few minutes to an hour. It requires a simple majority vote.

A motion to fix the time to adjourn.

This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to

be placed on "hold." The motion may contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call for the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the

the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions occur when the body is taking an action that effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super-majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," "I move the question," "I call for the question" or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body, such as the chair, nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a two-thirds vote to pass.

pend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted *in the majority* on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body may second the motion). If a member who voted *in the minority* seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook.

motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super-Majority Votes

In a democracy, decisions are made with a simple majority vote. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means

Motion to object to the consideration of a question. Normally, such a motion is unnecessary, because the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to sus-

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every

It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus.

lege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be: "Point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body. Can a member of the body interrupt the speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: "Point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privi-

relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Special Notes About Public Input

The rules outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

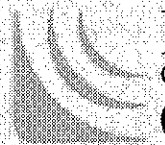
Public input is essential to a healthy democracy, and community participation in public meetings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a meeting are offered as tools for effective leadership and as a means of developing sound public policy. ■

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LEAGUE
OF CALIFORNIA
CITIES

1400 K Street
Sacramento, CA 95814
(916) 658-8200
Fax (916) 658-8240
www.cacities.org



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

DATE: February 13, 2014
TO: Chairperson and Members of the Oversight Board
FROM: Michael H. Roush, Legal Counsel
SUBJECT: PERSONAL LIABILITY OF OVERSIGHT BOARD MEMBERS

RECOMMENDATION

There is no recommendation. This item is for information only.

SUMMARY

The Oversight Board has inquired whether members have any exposure to personal liability for actions they take as Board members. In the absence of actual fraud, corruption or actual malice, the answer is no.

DISCUSSION

By statute, the City of Vallejo Oversight Board for the Successor Agency to the Vallejo Redevelopment Agency is a local entity for purposes of the Brown Act, the Public Records Act and the Political Reform Act. Health & Safety Code, section 34179 (e). Also by statute, Oversight Board members are protected by the immunities applicable to public entities and public employees of the Government Code. H & S Code, section 34179 (d). Those immunities are varied and numerous and, as may be relevant for the Board's purpose, provide immunity for the adoption/failure to adopt an enactment, or for the issuance, denial, suspension or revocation of, or the failure or refusal to issue, deny, suspend or revoke, a permit or license.

In addition, public entities must provide a defense of civil actions when brought against public officials, and indemnify them for compensatory damages, so long as the official's act or omission was within the scope of the official's duties, the official did not act with actual fraud, corruption or actual malice and (as to indemnification) the official cooperates in good faith in the defense of the action. Gov. Code, sections 995, 995.2, and 825

The possibility of litigation is typically much greater as to those entities that have employees, own real property and/or have numerous contracts. By contrast, the Oversight Board has no employees, owns no real property, and has not (to my knowledge) entered into any contract. Accordingly, the exposure of litigation to the Oversight Board itself, let alone to the members, appears small.

Moreover, in carrying out its fiduciary responsibilities, the Board's purpose is limited to directing the successor agency to do a number of things, such as terminating agreements (or not) where the Board determines such termination (or not) is in the best interest of the taxing entities. See Health & Safety Code, section 34181. Accordingly, even if the Board itself were the subject of litigation arising out a Board decision (the possibility of which, I believe, is small), as long as Board members were not acting fraudulently, with corruption or with actual malice, the members would not be at risk personally.

Because of this concern, however, I did make inquiry whether the Oversight Board could be added as an "additional insured" under the coverage the City of Vallejo has through its affiliation with a pool of other public entities. (These public entities through a joint powers agency specifically set up for this purpose pool their

resources, share risks and pay claims [that are above each entity's self retained limits] in lieu of the City's purchasing "insurance" in the open market.) The Memorandum of Coverage allows the City to provide coverage to other entities where those entities are under the City's direction and control or for which the City Council sits as the governing body (for example, the Successor Agency). The Oversight Board does not fit either definition and therefore cannot be added as an additional insured.

If an action were to be brought against the Board, it would look to the administrative budget for funds to defend the litigation and/or pay any judgment arising therefrom.

If there remain concerns on this issue, I could explore whether there is insurance that the Board could purchase. As I mentioned to the Board at its January 16, 2014 meeting, in my discussions with other Oversight Board counsel, none of them were aware that Oversight Boards had obtained such insurance or whether such insurance would even be available. The matter could be pursued further, however, if that is the Board's direction.

CONTACT

Michael Roush, Legal Counsel, 925-876-7525



DATE: February 13, 2014
TO: Chairperson and Members of the Oversight Board
FROM: Mark Sawicki, Community & Economic Development Director
SUBJECT: APPROVE A MOTION APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR JULY 1, 2014 THROUGH DECEMBER 31, 2014

RECOMMENDATION

Adopt a Motion approving the Successor Agency's administrative budget for July 1, 2014 through December 31, 2014.

REASONS FOR RECOMMENDATION

Pursuant to Health & Safety Code Section 34177(j), successor agencies are required to prepare a proposed administrative budget and submit it to the oversight board for its approval. The proposed administrative budget shall include all of the following:

- (1) Estimated amounts for successor agency administrative costs for the upcoming six-month fiscal period.
- (2) Proposed sources of payment for the costs identified in paragraph (1).
- (3) Proposals for arrangements for administrative and operations services provided by a city, county, city and county, or other entity.

BACKGROUND AND DISCUSSION

On June 29, 2011, the Governor signed into law AB1X 26 (the "Dissolution Act") which immediately suspended most activities of Redevelopment Agencies prior to their elimination effective October 1, 2011. A Successor Agency to the City of Vallejo Redevelopment Agency was established, with the City Council members sitting as its Board. ABX1 26 also established the Oversight Board for the Successor Agency to the Vallejo Redevelopment Agency to review and approve most actions of the Successor Agency. Assembly Bill 1484 ("AB 1484") was signed by the Governor on June 27, 2012, the primary purpose of which is to make technical and substantive amendments to the Dissolution Act based on experience to-date at the state and local level in implementing that act. AB 1484 added significant new or modified actions and deadlines. Among those is the provision that the Successor Agency submit a proposed administrative budget for approval by the Oversight Board. Under the Dissolution Act, the Agency is provided an allowance of \$250,000 per fiscal year for its administrative costs.

FISCAL IMPACT

Attachment 1 show the Agency's proposed administrative budget for Fiscal Year 2014-15, divided into two six-month ROPS periods. The Agency projects expenditures of \$384,798 including \$88,500 of potential direct costs to outside vendors, \$257,648 for personnel in four departments that work most directly on Successor Agency matters and an additional \$38,650 for overhead costs including other departments that support the Agency. Because only \$250,000 is made available to the Agency from Residual Property Tax Trust Funds ("RPTTF"), the City's General Fund will effectively need to subsidize the Successor Agency \$134,798. The second page of Attachment 1 shows further detail on projected personnel costs.

At the request of the Board, staff is also providing Attachment 2 which indicates the Successor Agency's administrative costs for the recent six-month period July through December 2013. In the period, \$11,608 of payments to outside vendors were charged to the Successor Agency, while \$128,007 of City personnel costs were estimated as incurred on the Agency's behalf, plus an additional \$19,201 of estimated overhead costs. The total expenditure of \$158,816 exceeded Agency allowance of \$125,000 for the period, requiring a General Fund subsidy estimated at \$33,816.

ATTACHMENTS

Attachment 1 – Successor Agency Administrative Budget for Fiscal Year 2014-15

Attachment 2 – Successor Agency Administrative Expenditures for July to Dec 2013

CONTACT

Mark Sawicki, Community & Economic Development Director, 648-4382

Vallejo Successor Agency
 Calculated Personnel Costs Allocation
 FY 2014-15
 ATTACHMENT 1 - B

Position	Annual Salaries & Benefits	Allocated %	Allocated Amount
Economic Development Director	245,862	10%	24,586
Economic Development Manager	197,189	10%	19,719
Sr. Community Development Analyst	147,046	10%	14,705
Executive Secretary	98,461	5%	4,923
Kennedy Wilson contract	156,000	25%	39,000
Total, Economic Development			102,933
Finance Director	262,871	8%	21,030
Accounting Manager	198,481	10%	19,848
Accountant	117,426	20%	23,485
Executive Secretary	116,837	5%	5,842
Total, Finance Department			70,205
City Attorney	354,533	8%	28,363
Asst. City Attorney	254,381	10%	25,438
Executive Secretary	116,837	5%	5,842
Total, City Attorney			59,643
City Manager	442,134	3%	13,264
Asst. City Manager	269,924	3%	8,098
Executive Secretary	116,837	3%	3,505
Total, City Manager			24,867
Grand Total			257,648

**Vallejo Successor Agency
Administrative Allowance Costs
July-December 2013
ATTACHMENT 2-A**

<u>Services and Expenditures</u>	<u>July-Dec 2013</u>	<u>Administrative Activities</u>
Personnel Services:		
Economic Development	40,579	Contract management Bill payments Successor Agency and Oversight Board staff support Property management/information/documentation Correspondence/coordination with State/County re: inquiries/requests/audit Triad/Waterfront/DDA/LRPPM
Finance Department	45,700	Correspondence/coordination with State/County re: inquiries/requests/audit Prepare ROPS Prepare Administrative Budget Accounting for Successor Agency funds Annual audit/reporting Annual budget process for Successor Agency Cash and debt management
City Attorney	29,155	Legal services for Successor Agency issues
City Manager	12,573	Executive Director of Successor Agency
Subtotal, Personnel Services	<u>128,007</u>	
City Overhead charges		
(15% of Personnel Services)	19,201	Includes overhead costs for Human Resources, City Clerk, Information Technology and Public Works Maintenance.
Other Admin Expenditures:		
Outside Counsel	2,111	For matters not listed on ROPS (incl disposition of assets)
Real Estate Economic Consultants	9,497	
Office Supplies	11,608	
Utilities	2,111	
Audit and Miscellaneous Services	9,497	
Subtotal, Other Admin Exp	<u>11,608</u>	
Total Administrative Expense Budget	<u><u>158,816</u></u>	
Funding Source:		
Admin Allowance	125,000	
General Fund Subsidy	33,816	
Total	<u>158,816</u>	



DATE: February 13, 2014
TO: Chairperson and Members of the Oversight Board
FROM: Mark Sawicki, Community & Economic Development Director
Deborah Lauchner, Finance Director
SUBJECT: ADOPT A RESOLUTION APPROVING THE RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE FOR JULY 1, 2014 THROUGH DECEMBER 31, 2014 ("ROPS 14-15A")

RECOMMENDATION

Adopt a Resolution approving the Recognized Obligations Payment Schedule for July 1, 2014 through December 31, 2014 (ROPS 14-15A).

REASONS FOR RECOMMENDATION

Pursuant to Health & Safety Code Section 34177, successor agencies are required to prepare and submit an approved ROPS prior to each six-month fiscal period. Without an approved ROPS, the Successor Agency would not receive its allocation of property tax increment revenue necessary to fund debt service and other contractual payment obligations. ROPS 14-15A must also be approved by the Oversight Board and be submitted to the State Department of Finance ("DOF") by March 3rd.

BACKGROUND AND DISCUSSION

On June 29, 2011, the Governor signed into law AB1X 26 (the "Dissolution Act") which immediately suspended most activities of Redevelopment Agencies prior to their elimination effective October 1, 2011. A Successor Agency to the City of Vallejo Redevelopment Agency was established, with the City Council members sitting as its Board. ABX1 26 also established the Oversight Board for the Successor Agency to the Vallejo Redevelopment Agency to review and approve most actions of the Successor Agency. Assembly Bill 1484 ("AB 1484") was signed by the Governor on June 27, 2012, the primary purpose of which is to make technical and substantive amendments to the Dissolution Act based on experience to-date at the state and local level in implementing that act. AB 1484 added significant new or modified actions and deadlines.

The Dissolution Act requires successor agencies to prepare a ROPS which sets forth the Successor Agency's enforceable obligations and scheduled payments for such enforceable obligations for each six-month fiscal period on a forward-looking basis. The ROPS is the base document used by the County Auditor-Controller (the "CAC") in determining how much property tax increment revenue is needed to meet outstanding Agency obligations and administrative expenses, and if any residual tax revenue is available to distribute among local taxing entities. The ROPS are prepared by staff and approved by the Successor Agency Board and the Oversight Board. All ROPS are then subject to approval by the DOF and to audit by the CAC. The current ROPS 14-15A for the period July 1, 2014 through December 31, 2014 was submitted for approval by the Successor Agency Board at its meeting on February 11, 2014. It must be approved by the Oversight Board before being submitted to DOF by March 3, 2014.

DOF has created a specific format for submission of the ROPS that staff must adhere to. Attachment 1, Exhibit A, includes five separate sections that are part of the required ROPS 14-15A submission, as follows:

1. The first part is a summary which combines requested funding for the next period with a prior period "true-up" accounting, resulting in a net amount of requested funding.
2. The next report reconciles fund balances of several potential sources that are available to make payments for enforceable payment obligations.
3. The third section is the ROPS detail report for the coming period which shows the total outstanding obligations of the Successor Agency, how much is requested to be spent in the next six month period and from what funding source.
4. The fourth section is a detailed accounting of the ROPS 13-14A period. Any prior funding allocations which were not spent in that period are to be "recaptured" and applied to the next period request, essentially reducing the net new tax increment revenue allocation from CAC.
5. The last section contains Notes that provide further explanation to the items on the ROPS detail report.

For the ROPS 14-15A period, staff has estimated property tax increment revenue \$1,164,367 from which the CAC is expected to retain an estimated \$77,081 for its administrative fee and \$269,202 for statutory and contractual pass-through obligations to other taxing entities. The remainder of \$818,084 is available for the Redevelopment Property Tax Trust Fund ("RPTTF"). The RPTTF, together with another \$706,797 of Successor Agency cash reserves are requested for payment of \$1,524,881 in enforceable obligations over the next six-month period.

FISCAL IMPACT

ROPS 14-15A identifies the following obligations for payment in the next period:

- **Bond Repayments and Fees (Items 5-7, 26, 30-31):** Redevelopment Agencies typically bonded against future tax increment revenue in order to do capital improvements (and/or assemble land or construct buildings) that would make the Redevelopment Area more marketable and ready for development, or improve the area. Vallejo's bonds paid for various infrastructure improvements, primarily along the waterfront, and other public improvements, as described more fully in Attachment 1, Exhibit A. Bond payments are made twice a year, once for interest only, and the second interest and principal. To allow for sufficient cash flow, the principal payment is spread between the two ROPS periods.
- **Repayment of loan for Waterfront Plan and EIR (Item 12).** Callahan Properties loaned the Agency \$628,077 for the preparation of the Waterfront Plan and EIR. This led to a Disposition and Development Agreement ("DDA") with Callahan Properties that currently remains in effect, and which was most recently amended by the City and Successor Agency earlier this fiscal year. The Amended DDA recognizes this outstanding obligation and establishes that it would be repaid when RPTTF funding allows, as the Agency has been doing to date. After this ROPS 14-15A request to pay \$257,055, this obligation will be retired.
- **Administrative Costs (Item 33).** The Agency continues to absorb substantial administrative costs associated with the dissolution process, together with activities to maximize revenue and reduce liabilities for the taxing entities, including negotiation and approval of an Amended Waterfront DDA, negotiations and approval of a settlement agreement with Triad, and preparation of the Long Term Property Management Plan. The Successor Agency is provided an allowance under the Dissolution Act of a minimum allocation of \$125,000 for each semi-annual ROPS to expend on staff time, overhead and all other expenses not otherwise recognized as an enforceable obligation on the ROPS.

-
- Triad Settlement Payment and Stipulated Judgment (Item 40). The City and Successor Agency approved a Settlement Agreement with Triad Development Company to settle litigation resulting from the Agency's termination of a Disposition and Development Agreement with Triad related to downtown Agency and City properties. The Oversight Board approved the action at its meeting on January 31, 2014. A part of the Settlement includes payment of \$299,000 from RPTTF in the next ROPS period, if funds are available. The Settlement Agreement will form the basis of a Stipulated Judgment pending with the Court, which upon being entered will make the payment an enforceable obligation. Although DOF has not yet provided a determination approving the Settlement Agreement, the line item is added contingent upon its approval prior to the ROPS 14-15A period.

Retired Waterfront DDA Obligations: As discussed above, the City, Successor Agency and Oversight Board approved an Amended Waterfront DDA earlier this year, which was later approved by DOF by letter dated January 29, 2014. The Amended DDA effectively retired approximately \$60 million in obligations related to implementing the Waterfront DDA (Items 13-18, 20-13). Some line items (19, 23, 24) remain listed as unretired until the Successor Agency can determine if there will be any related costs to implementing the transfer of property from the Agency to the City as was contemplated by the Amended DDA. However, no amounts are requested for payment in the next ROPS period since costs, if any, have not been established.

At the request of the Board, staff has also provided Attachment 2 which provides further description of all of the items listed on the ROPS.

ATTACHMENTS

Attachment 1 – Resolution Approving ROPS 14-15A

Exhibit A – ROPS 14-15A schedules

Attachment 2 – Further descriptions of ROPS items

CONTACT

Mark Sawicki, Community & Economic Development Director, 648-4382

Deborah Lauchner, Finance Director, 648-4486

OVERSIGHT BOARD RESOLUTION NO. _____

**A RESOLUTION OF OVERSIGHT BOARD FOR THE SUCCESSOR
AGENCY OF THE FORMER VALLEJO REDEVELOPMENT AGENCY,
APPROVING THE RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE
FOR THE PERIOD JULY 1, 2014 TO DECEMBER 31, 2014 (ROPS 14-15A)
PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(I)**

WHEREAS, pursuant to AB 1X 26, enacted June 28, 2011 (as found constitutional and as partially reformed by the California Supreme Court in its decision in *California Redevelopment Association v. Matosantos* on December 29, 2011), and as amended by AB 1484, enacted June 27, 2012 (the "Dissolution Act"), the Vallejo Redevelopment Agency, along with all other redevelopment agencies in the State, was dissolved as of February 1, 2012; and

WHEREAS, pursuant to the authority provided in Health and Safety Code Section 34173, as enacted by AB 1X 26, the City Council of the City of Vallejo ("City") elected and determined that the City shall become the "successor agency" to the former Redevelopment Agency, and upon dissolution of the Redevelopment Agency under AB 1X 26, all authorities, rights, powers, duties and obligations previously vested with the former Redevelopment Agency, under the Community Redevelopment Law (Health and Safety Code Section 33000 et seq.), were vested in the Successor Agency; and

WHEREAS, pursuant to Health and Safety Code Section 34173(g), added by AB 1484, the Successor Agency has been designated as a separate public entity from the City; and

WHEREAS, pursuant to the Dissolution Act, an Oversight Board has been selected to oversee, direct and approve specified actions of the Successor Agency; and

WHEREAS, also pursuant to the Dissolution Act, Successor Agency staff is required to prepare a "recognized obligation payment schedule" ("ROPS"), listing outstanding obligations of the Agency to be paid in the time period July 1, 2014 through December 31, 2014 ("ROPS 14-15A"), submit it for approval by the Oversight Board, and submit an electronic copy to the State Department of Finance ("DOF") by March 3, 2014.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF THE FORMER VALLEJO REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

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

Section 2. The approval of the ROPS through this Resolution does not commit the Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. The Oversight Board hereby approves and adopts the July 1, 2014 through December 31, 2014 ROPS (ROPS 14-15A), in substantially the form attached to this Resolution

as Exhibit A, and directs the Successor Agency to submit this information in the DOF-approved electronic format as required under the Dissolution Act.

This resolution was adopted by those present and voting at a special meeting of the Oversight Board to the Successor Agency of the former Vallejo Redevelopment Agency held on February 13, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ERIN HANNIGAN, Chairperson

ATTEST:

DAWN G. ABRAHAMSON, Secretary

•

Recognized Obligation Payment Schedule (ROPS 14-15A) - Summary

Filed for the July 1, 2014 through December 31, 2014 Period

Name of Successor Agency: Vallejo

Name of County: Solano

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):	\$ 706,797
B Bond Proceeds Funding (ROPS Detail)	-
C Reserve Balance Funding (ROPS Detail)	633,390
D Other Funding (ROPS Detail)	73,407
E Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 818,084
F Non-Administrative Costs (ROPS Detail)	693,084
G Administrative Costs (ROPS Detail)	125,000
H Current Period Enforceable Obligations (A+E):	\$ 1,524,881

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding

I Enforceable Obligations funded with RPTTF (E):	818,084
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(38,437)
K Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 779,647

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding

L Enforceable Obligations funded with RPTTF (E):	818,084
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N Adjusted Current Period RPTTF Requested Funding (L-M)	818,084

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

Successor Agency of Vallejo

Special request for Oversight Board

Objective: To Provide one paragraph description for each of the line item listed below.

A	B	C	F	G	I	
Item #	Project Name / Debt Obligation	Obligation Type	Payee	Description/Project Scope	Debt or Obligation	
						Description:
					\$ 98,732,797	
1	North Vallejo Community Center	Improvement/Infrastructure	GVRD	Renovation of the Community Center in North Vallejo	1,755,100	Project for Renovation of the Community Center in North Vallejo was created in 2008 using Tax Increment received under the Flosden Project Area. No activity since its inception.
2	North Vallejo Community Center	Project Management Costs	To Be Determined	Project Management	25,000	Project Management for the project of renovating the Community Center in North Vallejo.
4	Rental subsidy	Business Incentive Agreements	Fairgrounds Drive Retail, LLC.	Solano County Lease	126,756	City of Vallejo pays Fairground Drive Retail LLC as part of the Business incentive Agreement. Monthly rent at \$3,632.00
5	1989 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	Wells Fargo Bank	Waterfront Development	1,715,469	In January 1989, Tax Allocation Bonds in the amount of \$2,485,000 were issued to repay certain advances made to the Agency from the City. The bonds mature in May 2019. Semi-annual interest payments are due on May 1 and November 1 and annual principal payments are due May 1. Bonds became eligible to be redeemed, in whole or in part, at the option of the Agency on May 1, 1996, or on any Interest Payment Date thereafter.
6	1990 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	Wells Fargo Bank	Marina Vista & Vallejo Central development	3,099,937	In August 1990, the Vallejo Public Financing Authority (PFA) issued bonds in the amount of \$5,235,000 to provide funds to the agency for use in the Marina Vista Project (\$3,335,000) and in the Vallejo Central project (\$1,900,000.) Net proceeds allocated to the Marina Vista Project were used to decrease all future debt service payments on certain lease revenue bonds used to finance the construction of City Hall. Net proceed allocated to the Vallejo Central Project were used to fund infrastructure improvements in the project area. The bonds are secured by loan agreements between the Agency and the PFA. The semi-annual loan payments by the Agency are expected to meet all debt service requirements of the bonds. Semi-annual interest payments are due on March 1 and September 1 and annual principal payments are due September 1. The loan payments are made solely from the tax increment revenues within the redevelopment project areas, and the bonds are reflected as a liability of the Agency.
7	2003 COP – State Farm Project	Bonds Issued On or Before 12/31/10	Union Bank	Bond Payments	1,493,441	In December 2003, the City issued \$8,000,000 of Certification of Participation (2003 Capital Improvement Project) to provide funding for Springstowne Library improvements, solar energy projects and various public works capital projects. The Marina Vista Capital Projects Fund received \$2,617,597 of the bond proceeds. Principal payments are payable annually on December 1. Interest is payable at the beginning of each month. The future interest payments are estimates based on the interest rate as of the basic financial statements date. The City has the option of converting the COPs to a fixed interest rate, after which interest is payable on June 1 and December 1. On August 2011, Union bank and the City reached a restructuring agreement regarding 2003 COPs which amends and replaces the COPs as Loan A and Loan B Obligations with fixed interest rate of 2.5 % and 1.625% respectively. Interest and principal will be payable annually on the first business day of each calendar year. Loan A obligation will be due and payable on Jan 1, 2026 with Loan B obligation due and payable on Jan 1, 2042.

Successor Agency of Vallejo

Special request for Oversight Board

Objective: To Provide one paragraph description for each of the line item listed below.

A	B	C	F	G	I	
Item #	Project Name / Debt Obligation	Obligation Type	Payee	Description/Project Scope	Debt or Obligation	
					\$ 98,732,797	Description:
8	Advances from City	City/County Loans On or Before 6/27/11	City of Vallejo General Fund	Redevelopment Activities	20,904,300	During the early years of the Agency (pre-1990), the City Advanced start-up funds to the Agency (RDA). As the tax increment becomes available, these obligations will be repaid to the City.
12	Waterfront DDA	Fees	Callahan LLC	Waterfront EIR Cost and Legal Fee	408,212	All DDA will be eliminated per OSB.
13	Waterfront DDA	Project Management Costs	Consultant Project Manager (currently S. McCue.)	Waterfront DDA Project Management	510,000	All DDA will be eliminated per OSB.
14	Waterfront DDA	Professional Services	Selected Contractor	Vallejo Station Parking Garage	12,000,000	All DDA will be eliminated per OSB.
15	Waterfront DDA	Professional Services	Selected Contractor	City Hall Parking Garage	20,000,000	All DDA will be eliminated per OSB.
16	Waterfront DDA	Professional Services	Selected Contractor	Park & Street Improvement	11,850,000	All DDA will be eliminated per OSB.
17	Waterfront DDA	Professional Services	Selected Contractor/Consultant	Remediation - South Waterfront	8,500,000	All DDA will be eliminated per OSB.
18	Waterfront DDA	Professional Services	Selected Contractor	Boat Launch Relocation	5,000,000	All DDA will be eliminated per OSB.
19	Waterfront DDA	Legal	Best Best Krieger, Cox Castle & Nicholson	Legal work	1,800,000	All DDA will be eliminated per OSB.
20	Waterfront DDA	Professional Services	Regional Water Quality Control Board	Environmental Inspection Service	200,000	All DDA will be eliminated per OSB.
21	Waterfront DDA	Professional Services	Selected Consultant	Southern Waterfront Soft Cost Work: State Land Commission exchange agreement, Other Environment Work, Pre-PG&E Settlement Cost.	500,000	All DDA will be eliminated per OSB.
22	Waterfront DDA	Professional Services	Armenta Mgmt Consultant	Grant Writing	60,000	All DDA will be eliminated per OSB.
23	Waterfront DDA	Professional Services	First American Title	Title Reports	200,000	All DDA will be eliminated per OSB.
24	Waterfront DDA	Fees	Solano County Assessor	Solano County Recording Fees	5,000	All DDA will be eliminated per OSB.

Successor Agency of Vallejo

Special request for Oversight Board

Objective: To Provide one paragraph description for each of the line item listed below.

A	B	C	F	G	I	
Item #	Project Name / Debt Obligation	Obligation Type	Payee	Description/Project Scope	Debt or Obligation	
					\$ 98,732,797	Description:
26	Tax Allocation Bond, Certification of Participations, Tax Relief Bond.	Fees	Bondlogistix LLC, Wells Fargo	Debt Service Admin Fee	9,750	Debt Admin Fee for 1989, 1990 Tax Allocation Bond and Loan A.
27	Triad Project Litigation	Litigation	Burke, Williams & Sorensen	Legal work	100,000	Legal cost for Triad Litigation.
28	Waterfront Properties	Property Maintenance	EZ Trees Inc., Coast Landscape Mgmt.	Landscape Services	610,000	Landscape work Waterfront Properties.
29	Temple Art Lofts	Professional Services	Temple Art Lofts Associates, L.P.	Building Acquisition, Pre-development cost, Rehab Construction.	750,000	Building Acquisition, Pre-development cost, Rehab Construction.
30	2001 Vallejo Housing Set-aside	Fees	Bondlogistix, Wells Fargo Bank	Debt Service Admin Fee	9,423	Debt Admin Fee for 2001 Housing Set-Aside Bond.
31	2001 Vallejo Housing Set-aside	Bonds Issued On or Before 12/31/10	Wells Fargo Bank	Vallejo Housing Set Aside Bond	6,471,741	In August 2001, the Agency issued Tax Allocation Bonds in the amount of \$5,410,000 to finance housing activities of the Agency and to repay a loan from the PFA. Semi-Annual interest payments are due on April 1 and October 1 and annual principal payments are due October 1. The bonds are subject to mandatory sinking fund redemption and payment is made solely from, and secured by, housing set-aside tax increment revenues within the redevelopment project areas.
33	Administration	Admin Costs	City of Vallejo	Administration Cost	125,000	City staff cost for work performed on Successor Agency along with Citywide Overhead charges, Audit fees and other Admin expenses such as utility, office supplies etc.
37	Long Range Property Mgmt Plan (LRPMP)	Professional Services	Municipal Resource Group LLC	Create a plan to manage Successor Agency properties	100,000	Create a plan to manage Successor Agency properties
38	General Fund Loan	City/County Loans After 6/27/11	City of Vallejo	Triad Project Litigation	100,000	The SA had from time-to-time have insufficient cash flow to fulfill commitments and as such had decided to enter into a Loan Agreement with the City of Vallejo to provide the cash flow necessary to fulfill its obligation for the Triad Litigations.
39	General Fund Loan	City/County Loans After 6/27/11	City of Vallejo	Long Range Property Management Plan	100,000	The SA had from time-to-time have insufficient cash flow to fulfill commitments and as such had decided to enter into a Loan Agreement with the City of Vallejo to provide the cash flow necessary to fulfill its obligation for the Long Range Property Management Plan.
40	Triad Project Litigation	Litigation		Settlement payment to Triad		Settlement payment to Triad.