



**SPECIAL MEETING  
AGENDA  
CITY OF GUSTINE  
REDEVELOPMENT SUCCESSOR AGENCY  
OVERSIGHT BOARD MEETING  
COUNCIL CHAMBERS, CITY HALL  
352 5<sup>th</sup> STREET GUSTINE, CALIFORNIA  
SEPTEMBER 25, 2014 – 3:30 P.M.**

**CALL TO ORDER - PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

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Board Members: Amarante – Greeson – Nagy - DeMartini – Gomes – Kelsey -  
Public Member (Vacant)

**PRESENTATIONS**

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**PUBLIC COMMENT**

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At this time, any person may comment on any item which is not on the agenda. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. Action will not be taken on the topic unless deemed an urgency matter by a 3/5 vote of the Board. Topics not considered an urgency matter may be referred to City staff and/or placed on a subsequent agenda for consideration, by a 3/5 vote of the Board.

Members of the public, who have questions regarding a specific agenda item, may comment on that item before consideration of that item, when recognized by the Chair.

**ADMINISTRATIVE AGENDA**

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- 1. Approve Minutes of the February 26, 2014 Meeting**
  - 1. Recommendation: Review and Approve*
  
- 2. Consider a Resolution Approving and Adopting a Long Range Property Management Plan**
  - 1. Receive Staff Report*
  - 2. Receive Public Comment*
  - 3. Consider a motion to approve the Resolution*
  
- 3. Consider a Resolution Approving and Adopting a Recognized Obligation Payment Schedule (ROPS 14-15B) Pursuant to Health and Safety Code Section 34177(I)**
  - 1. Receive Staff Report*
  - 2. Receive Public Comment*
  - 3. Consider a motion to approve the Resolution*

**PUBLIC HEARING**

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**REPORTS**

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**CLOSED SESSION**

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**ADJOURNMENT**

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**Note:**

1. *In compliance with the Americans with Disabilities Act, a disabled person requesting a disability-related modification or accommodation to participate in this meeting, must contact City Hall at (209) 854-6471 or (209) 854-2127 (fax). Requests must be made as early as possible, preferably one-full business day before the start of the meeting.*
2. *Any document provided to a majority of the City Council regarding any open session item on this agenda is available for public inspection during normal business hours at the front counter of City Hall located at 352 5<sup>th</sup> Street, Gustine, CA. Documents or writings received after the general distribution of the agenda are also available for inspection.*

**CERTIFICATION**

I, Melanie Correa, Deputy City Clerk, do hereby declare under penalty of perjury that the foregoing agenda was posted at the Gustine City Hall, 352 5<sup>th</sup> Street, Gustine CA and made available for public review on this 18th day of September 2014, at or before 5:00 p.m.



Melanie Correa

**MINUTES OF  
SUCCESSOR AGENCY OVERSIGHT BOARD  
FEBRUARY 26, 2014**

**CALL TO ORDER - PLEDGE OF ALLEGIANCE**

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Board member Gomes called the meeting to order at 2:00 P.M.

**ROLL CALL**

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Board Members: Kelsey, Nagy, Greeson, Gomes, DeMartini

Staff Present: Assistant City Manager Sean Scully, Part Time Account Clerk Cecilia Gamboa, and Deputy City Clerk Melanie Correa

**PRESENTATIONS**

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**ORAL COMMUNICATIONS**

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There were no oral communications.

**ADMINISTRATIVE AGENDA**

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**1. Approve Minutes of the October 23, 2013 Meeting**

1. *Recommendation: Review and Approve*

Board member Greeson made a motion to approve the minutes of the October 23, 2013 meeting. The motion was seconded by Board member Nagy, and carried 5-1, with Board member Amarante absent.

**2. Consider a Resolution Finding that the City of Gustine and Former Gustine Redevelopment Agency was for Legitimate Redevelopment Purposes**

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve the Resolution*

Assistant City Manager Sean Scully presented the staff report. There was no public comment. Board member Nagy made a motion to approve the resolution. The motion was seconded by Board member Greeson and carried 5-1 with Board member Amarante absent.

**3. Consider a Resolution Approving and Adopting A Recognized Obligation Payment Schedule (ROPS 14-15A) Pursuant to Health and Safety Code Section 34177(I).**

1. *Receive Staff Report*
2. *Receive Public Comment*
3. *Consider a motion to approve the Resolution*

Assistant City Manager Sean Scully presented the staff report. There was no public comment. Board member Kelsey made a motion to approve the

resolution. The motion was seconded by Board member Demartini, and carried 5-1 with Board member Amarante absent.

**REPORTS**

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There were no reports.

**CLOSED SESSION**

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**ADJOURNMENT**

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Board member Kelsey moved to adjourn the meeting. The motion was seconded by Board member Nagy, and carried 5-0 with Board member Kelsey absent. The meeting was adjourned at 2:06 P.M.

**ATTEST:**

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**BOARD CLERK**

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**Board Chair**



**OVERSIGHT BOARD OF THE  
REDEVELOPMENT SUCCESSOR  
AGENCY ITEM**

**September 25, 2014**

**PREPARED BY:** SEAN SCULLY, ASSISTANT CITY MANAGER

**SUBJECT:** Consider a Resolution Approving and Adopting a Long Range Property Management Plan

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**BACKGROUND/DISCUSSION**

City Staff have been notified by the California Department of Finance that the successor agency must develop a Long Range Property Management Plan for the former Gustine Redevelopment Agency. The Gustine Redevelopment Agency owned no property due to the youth of the agency prior to dissolution. However, the Department of Finance still requires a plan which essentially confirms that the agency owned no property. Attached is a resolution confirming this for board approval. If approved the resolution and associated confirmation that no property exists would be transmitted to the Department of Finance.

**RECOMMENDED ACTION**

Staff recommends that the Oversight Board of the Successor Agency to the dissolved Redevelopment Agency of the City of Gustine, adopt the attached Resolution 2014-XXX approving and adopting the property management plan.

**EXHIBIT(S)**

A. Resolution No.2014-XXX

**RESOLUTION NO. 2014-XXX**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO  
THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF GUSTINE,  
APPROVING AND ADOPTING A LONG-RANGE PROPERTY MANAGEMENT  
PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5**

**WHEREAS**, pursuant to Health and Safety Code Section 34173(d), the City of Gustine ("Successor Agency") elected to become the Successor Agency to the Redevelopment Agency of the City of Gustine by Resolution No. 2012-2247 on January 17, 2012; and

**WHEREAS**, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan ("Property Management Plan" that addresses the disposition and use of real properties of the former redevelopment agency; and

**WHEREAS**, the Successor Agency has prepared a long-range Property Management Plan and all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF GUSTINE, DOES HEREBY RESOLVE AS FOLLOWS:**

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

**Section 2. CEQA Compliance.** The approval of the Property Management Plan 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. Approval of Property Management Plan.** The Oversight Board of the Successor Agency of the dissolved Redevelopment Agency of the City of Gustine hereby approves and adopts the Property Management Plan in substantially the form currently on file with the Secretary of the Oversight Board of the Successor Agency attached hereto as exhibit A.

**Section 4. Transmittal of the Property Management Plan.** The City Manager is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the Property Management Plan, including submitting the Property Management Plan to the State of California Department of Finance for approval and posting the approved Property Management Plan on the Successor Agency's website.

**Section 5. Effectiveness.** This Resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** at a meeting of the Oversight Board of the Successor Agency to the dissolved Redevelopment Agency of the City of Gustine on the \_\_\_ of September, 2014, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
**Acting Chair**

**ATTEST:**

\_\_\_\_\_  
**Secretary**

**EXHIBIT A**





# OVERSIGHT BOARD OF THE REDEVELOPMENT SUCCESSOR AGENCY ITEM

## September 25, 2015

**PREPARED BY:** SEAN SCULLY, ASSISTANT CITY MANAGER

**SUBJECT:** Consider a Resolution Approving and Adopting a Recognized Obligation Payment Schedule 14-15B (ROPS) Pursuant to Health and Safety Code Section 34177(l).

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### **BACKGROUND/DISCUSSION**

On June 28, 2011, as part of the 2011-2012 State of California Budget Bill, Companion Bills Assembly Bill 1X 26 ("AB 26") and Assembly Bill 1X 27 ("AB 27") were enacted, dissolving the Redevelopment Agency of the City of Gusting ("Agency"), unless the City of Gusting ("City") elected to participate in the "Alternative Voluntary Redevelopment Program" established by AB 27 and paid an annual "community remittance" payment to the County of Merced. On July 18, 2011, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California in the matter of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 ("Legal Action"), challenging the constitutionality of AB 26 and AB 27 on behalf of cities, counties and redevelopment agencies. On December 29, 2011, the Supreme Court issued its opinion in the Legal Action, upholding AB 26, invalidating AB 27, extending certain statutory deadlines under Health and Safety Code Sections 34170 through 34191, and dissolving all redevelopment agencies throughout the State, effective February 1, 2012.

In January of 2012 the City elected to become the Successor Agency to the Gusting Redevelopment Agency. One of the responsibilities of the City, as Successor Agency, is to prepare Recognized Obligation Payment Schedule ("ROPS"), which sets forth the nature, amount, and source(s) of payment of all "enforceable obligations" of the Agency (as defined by law) to be paid by the Successor Agency after the Agency's dissolution.

Pursuant to Health and Safety Code Section 34177(l)(2), as modified by the Supreme Court's opinion in the Legal Action, the City, as Successor Agency, is required to prepare ROPS. These schedules are submitted to an external auditor (pursuant to Health and Safety Code Section 34182, either the County Auditor-Controller or its designee), for review and certification as to its accuracy ("Certified ROPS"). This ROPS document

includes no substantive differences from the last ROPS document that was approved. Since the City's agency was so recently established at the time that AB 1x 26 and AB 1x 27 were enacted the agency has not generated any property tax increment to pay off the existing obligations however the agency was notified by the Merced County Auditor Control that an estimated \$4,000 in tax increment may be received this year. The obligations include primarily start up fees loaned from the City of Gustine for the establishment of the Agency and some ongoing anticipated administration and legal costs. The Successor agency will continue to list the attached obligations until which time the obligations are satisfied by any available tax increment.

The ROPS must also be reviewed by the Oversight Board of the Successor Agency for approval. The attached resolution has one exhibit (ROPS 14-15B which covers the agency January 2015 through the end of June, 2015). The amounts of the listed obligations in this ROPS document are identical to the previous ROPS as no increment has yet been received to go towards satisfying those obligations. Once approved by the Oversight Board certification of the ROPS documents approval along with the document will be submitted to the County Auditor-Controller, the State Controller's Office and the State Department of Finance, and posted on the City's website.

#### **RECOMMENDED ACTION**

Staff recommends that the Oversight Board of the Successor Agency to the dissolved Redevelopment Agency of the City of Gustine, adopt the attached Resolution 2014-XXX approving and adopting the a Recognized Obligation Payment Schedule (ROPS) 14-15B pursuant to Health and Safety Code Section 34177(l).

#### **EXHIBIT(S)**

A. Resolution No.2014-XXX

**RESOLUTION NO. 2014-XXX**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF GUSTINE, APPROVING AND ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE 14-15B (Jan 2015 – June 2015) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(I)**

**WHEREAS**, pursuant to Health and Safety Code Section 34173(d), the City of Gustine ("Successor Agency") elected to become the Successor Agency to the Redevelopment Agency of the City of Gustine by Resolution No. 2012-2247 on January 17, 2012; and

**WHEREAS**, Health and Safety Code Section 34177(l)(2), as modified by the Supreme Court decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, requires the Successor Agency to prepare recognized obligation payment schedules ("ROPS") covering the period January 1, 2015 through June 30, 2015; and

**WHEREAS**, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the ROPS schedule to an external auditor, either the Merced County Auditor-Controller or its designee, for the auditor's review and certification as to their accuracy; and

**WHEREAS**, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the ROPS schedule certified by the external auditor ("Certified ROPS") to the Successor Agency's Oversight Board for its approval, and upon such approval, the Successor Agency is required to submit a copy of the approved ROPS 14-15B ("Approved ROPS") schedule to the Merced County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and post the Approved ROPS III schedule on the Successor Agency's website; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF GUSTINE, DOES HEREBY RESOLVE AS FOLLOWS:**

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

**Section 2. CEQA Compliance.** The approval of the ROPS 14-15B 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. Approval of the ROPS.** The Oversight Board of the Successor Agency of the dissolved Redevelopment Agency of the City of Gustine hereby approves and adopts the final ROPS schedule's covering the period from January 1, 2015 through June 30, 2015 (Exhibit A); in substantially the form attached to this Resolution as Exhibit A, as required by Health and Safety Code Section 34177.

**Section 4. Transmittal of the ROPS.** The City Manager is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the ROPS 14-15B, including submitting the ROPS 14-15B to the Merced County Auditor-Controller, or its designee, the California State Controller, and the State of California Department of Finance, and posting the approved ROPS 14-15B schedules on the Successor Agency's website.

**Section 5. Effectiveness.** This Resolution shall take effect immediately upon its adoption.

**PASSED, APPROVED AND ADOPTED** at a meeting of the Oversight Board of the Successor Agency to the dissolved Redevelopment Agency of the City of Gustine on the 25th of September, 2014, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Acting Chair**

**ATTEST:**

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**Secretary**

**EXHIBIT A**

**THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD  
COVERING January 1, 2015 THROUGH June 30, 2015**

## Recognized Obligation Payment Schedule (ROPS 14-15B) - Summary

Filed for the January 1, 2015 through June 30, 2015 Period

**Name of Successor Agency:** Gustine  
**Name of County:** Merced

Current Period Requested Funding for Outstanding Debt or Obligation	Six-Month Total
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding</b>	
<b>A Sources (B+C+D):</b>	<b>\$ -</b>
B Bond Proceeds Funding (ROPS Detail)	-
C Reserve Balance Funding (ROPS Detail)	-
D Other Funding (ROPS Detail)	-
<b>E Enforceable Obligations Funded with RPTTF Funding (F+G):</b>	<b>\$ 345,451</b>
F Non-Administrative Costs (ROPS Detail)	285,451
G Administrative Costs (ROPS Detail)	60,000
<b>H Current Period Enforceable Obligations (A+E):</b>	<b>\$ 345,451</b>
<b>Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>	
I Enforceable Obligations funded with RPTTF (E):	345,451
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	-
<b>K Adjusted Current Period RPTTF Requested Funding (I-J)</b>	<b>\$ 345,451</b>
<b>County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>	
L Enforceable Obligations funded with RPTTF (E):	345,451
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
<b>N Adjusted Current Period RPTTF Requested Funding (L-M)</b>	<b>345,451</b>

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

**Recognized Obligation Payment Schedule (ROPS 14-15B) - ROPS Detail**  
**January 1, 2015 through June 30, 2015**  
 (Report Amounts in Whole Dollars)

A Item #	B Project Name / Debt Obligation	C Obligation Type	D Contract/Agreement Execution Date	E Contract/Agreement Termination Date	F Payee	G Description/Project Scope	H Project Area	I Total Outstanding Debt or Obligation	J Retired	K, L, M, N, O Funding Source					P Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
1	Coop. Agree.-- Redevelopment	City/County Loans	03/15/2011	06/30/2014	City of Gustine	Start up costs related to the formation	Gustine	\$ 345,451	N	\$ -	\$ -	\$ -	\$ 285,451	\$ 60,000	\$ 345,451
2	Coop. Agree.-- Redevelopment Agency and City of Gustine (As Approved Stated Within Gustine City Council Resolution 2011-2222 and Agency Reso 2011-11)	Admin Costs	3/15/2011	6/30/2014	City of Gustine	ESTIMATED Administrative Costs (City Staff Time, Legal Consultants and Financial Consultants) incurred since formation of agency and redevelopment plan. (ADMIN Allowance)	Gustine	60,000	N				285,451	60,000	60,000
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