

OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE STANISLAUS COUNTY REDEVELOPMENT AGENCY

AGENDA

June 11, 2015
9:00 a.m.

*Third Floor, Conference Room 3001
1010 10th Street
Modesto, California*

www.stancounty.com

The Oversight Board welcomes you to its meetings which are regularly scheduled the second Thursday of each month, and your interest is encouraged and appreciated.

The agenda is divided into two sections:

CONSENT CALENDAR: These matters include routine financial and administrative actions and are identified with an asterisk (*). All items on the consent calendar will be voted on as a single action at the beginning of the meeting under the section titled "Consent Calendar" without discussion. If you wish to discuss an item on the Consent Calendar, please notify the Clerk prior to the beginning of the meeting or you may speak about the item during Public Comment Period.

NON-CONSENT CALENDAR: These items will be individually discussed and reviewed in detail.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE OVERSIGHT BOARD REGARDING A MATTER ON THE AGENDA: Please raise your hand or step to the podium at the time the item is announced by the Oversight Board Chairperson. In order that interested parties have an opportunity to speak, any person addressing the Oversight Board will be limited to a maximum of 5 minutes unless the Chairperson of the Oversight Board grants a longer period of time.

PUBLIC COMMENT PERIODS: Matters under the jurisdiction of the Oversight Board and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Oversight Board for consideration; however, California law prohibits the Oversight Board from taking any action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Oversight Board. Any member of the public wishing to address the Oversight Board during the "Citizen's Forum" period will be limited to a maximum of 5 minutes.

OVERSIGHT BOARD AGENDAS AND MINUTES: Agendas, Minutes, and copies of items to be considered by the Oversight Board are typically posted on the internet on Friday afternoons preceding the meeting at the following website: www.stancounty.com. All materials, including materials related to an item on this Agenda, submitted to the Oversight Board after distribution of the agenda packet are available for public inspection in the Planning and Community Development Department at 1010 10th Street, Suite 3400, Modesto, during normal business hours.

NOTICE REGARDING NON-ENGLISH SPEAKERS: Oversight Board meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Oversight Board Clerk at (209) 525-6330. Notification 72 hours prior to the meeting will enable the Clerk to make arrangements to ensure accessibility to this meeting.

- I. **ROLL CALL:** Dave Cogdill Jr.; Linda Flores; Brad Hawn; Terry Withrow; Duane Wolterstorff; Randall Bradley; Ana San Nicolas
- II. **APPROVAL OF MINUTES**

*A. Special Meeting of February 23, 2015

III. CORRESPONDENCE

- A. Letter dated April 28, 2015, from Marisol F. Aguilar, California Rural Legal Assistance, Inc., regarding Parklawn United Neighbors v. Department of Finance, naming County entities as Real Parties in Interest.

IV. PUBLIC COMMENT

V. AGENDA ITEMS

- A. None

VI. OTHER MATTERS

- A. None

VII. ADJOURNMENT

- VIII. CLOSED SESSION:** Conference with Legal Counsel – Existing Litigation:
One Case: Parklawn United Neighbors v. California Department of Finance, et al., Sacramento County Superior Court Case No. 34-2015-80002079. Government Code Section 54956.9 (d)(1).

OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE STANISLAUS COUNTY REDEVELOPMENT AGENCY

MINUTES

SPECIAL MEETING

February 23, 2015

I. **ROLL CALL:** Meeting called to order at 11:03 a.m.

Present: Chairman, Terry Withrow; Dave Cogdill, Jr.; Randall Bradley;
Duane Wolterstorff; Brad Hawn

Absent: Linda Flores

Staff Present: Angela Freitas, Planning and Community Development
Director; Angelica Ramos, Manager III; Thomas Boze,
Assistant County Counsel; Brenda McCormick, Oversight
Board Clerk

II. APPROVAL OF MINUTES

*A. Upon motion of Oversight Board members Duane Wolterstorff/Randall
Bradley, (4/0) (Dave Cogdill, Jr. abstained), the Board approved the
minutes of the September 11, 2014 meeting.

III. CORRESPONDENCE

A. None.

IV. PUBLIC COMMENT

A. No one spoke.

Brad Hawn arrived – 11:05 a.m.

V. AGENDA ITEMS (* - Consent Items)

A. Approval of the Administrative Budget for Fiscal Year 2015-2016. *Director
Freitas presented an overview of the report to the Oversight Board.
Chairman asked for public comment – No one spoke.
Dave Cogdill, Jr./Duane Wolterstorff (5-0) - **Approved all Staff
Recommendations as outlined in the Staff Report, including
Resolution No. 2015-01.***

B. Approval of Recognized Obligation Payment Schedule for July 1, 2015 to
December 31, 2015, (ROPS 15-16A). *Director Freitas presented an
overview of the report.
Chairman asked for public comment – No one spoke.*

Randall Bradley/Brad Hawn (5-0) – Approved all Staff Recommendations as outlined in the Staff Report, including Resolution No. 2015-02.

VI. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. Director Freitas informed the Board of the January 13, 2015 resignation of James Duval as the former RDA employee member and that Ana San Nicolas will be appointed by the Board of Supervisors on March 3, 2015 to fill the vacancy.
- B. On the Horizon.
Director Freitas provided informed the Board of the following:
- *Status of the Keyes Storm Drain bond refund and the potential to go to the Successor Agency in mid-March and come before the Oversight Board early or mid-April 2015.*
 - *The Governor's Budget 2015/2016 calls for the introduction of new legislation that would change how ROPS are done (biannual to annual) and address the transition of the individual Oversight Boards to a County-wide Oversight Board.*

VII. ADJOURNMENT

The meeting was adjourned at 11:21 a.m.

Signature on file
Angela Freitas, Secretary

(The above is a summary of the minutes of the Oversight Board meeting)



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

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Modesto Office

Jessica M. Jewell
Directing Attorney

April 28, 2015

Christina N. Teixeira
Staff Attorney

Yessenia Martinez
Staff Attorney

Community Equity Initiative

Marisol F. Aguilar
Staff Attorney

Luis E. Castillo
Community Worker

Migrant Unit

Blanca A. Bañuelos
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Regional Offices

Arvin	Oceanside
Coachella	Oxnard
Delano	Salinas
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Fresno	Santa Cruz
Madera	Santa Maria
Marysville	Santa Rosa
Modesto	Stockton
Monterey	

Members of the Oversight Board to the Successor Agency to the Stanislaus County Redevelopment Agency
c/o Brenda McCormick, Clerk
1010 Tenth Street, Suite 6400
Modesto, CA 95354

Members of the Successor Agency to the Stanislaus County Redevelopment Agency
c/o Christine Ferraro Tallman, Clerk
1010 Tenth Street, Suite 6400
Modesto, CA 95354

Lauren Klein
Auditor-Controller of Stanislaus County
1010 Tenth Street, Suite 5100
Modesto, CA 95354

Re: Parklawn United Neighbors v. Department of Finance, naming County entities as Real Parties in Interest

Dear Members of the Oversight Board, et al.:

California Rural Legal Assistance, Inc. (CRLA) represents clients who are directly affected by the 1991 Redevelopment Agency Settlement Agreement entered into between eight individuals, represented by CRLA, and the former Stanislaus County Redevelopment Agency.

The California Department of Finance (DOF) has determined, contrary to the determinations of the Successor Agency and the Oversight Board, that this 1991 Agreement is not an enforceable obligation under the Dissolution Act, and as such has not allowed the County to allocate tax revenue to the Successor Agency to perform the obligation. After sending a demand letter to the state, CRLA filed a petition and complaint for declaratory and injunctive relief against DOF challenging their erroneous determinations rejecting the 1991 Agreement as an enforceable obligation and demanding distribution of over \$10 million from the former Agency's Low and Moderate Income Housing Fund to other taxing entities.



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CRLA and the County have worked together in the past to avoid potentially adversarial positions. For example, CRLA supported approval of the 1991 Agreement as an enforceable obligation on a series of ROPS. We also supported the Successor Agency and Oversight Board meet and confer efforts with the DOF. Because those efforts were unsuccessful, CRLA has filed this petition against DOF. We have not alleged claims against the Oversight Board, the Successor Agency, or the Auditor-Controller but have named each as a real party in interest solely because of the effect any judgment against the state may have on local entities.

We hope to preserve and increase funds for the County's affordable housing programs to the greatest extent possible, a goal we believe the County shares. Should you need an extension or more information, please let us know and we will be happy to accommodate.

Very truly yours,

CALIFORNIA RURAL LEGAL ASSISTANCE, Inc.

Marisol F. Aguilar

cc: Ilene J. Jacobs
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