

AGENDA

Meeting of the
**Oversight Board for the
Successor Agency of the
Scotts Valley Redevelopment Agency**

1 Civic Center Drive
Scotts Valley, CA 95066
(831) 440-5600

Date: May 18, 2016
Time: 4:00 p.m.

MEETING LOCATION Scotts Valley City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066	POSTING The agenda was posted 5-13 -16 at City Hall, Scotts Valley Senior Center, Scotts Valley Library and on the Internet at www.scottsvalley.org .
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OVERSIGHT BOARD MEMBERS Dene Bustichi, Scotts Valley City Council Jack Dilles, Scotts Valley Community Member John Weiss, City of Scotts Valley, Chief of Police Bruce McPherson, Santa Cruz County Board of Supervisors Vacant, Scotts Valley Unified School District Art Smith, Scotts Valley Fire Protection District Donna Ziel, Cabrillo Community College Governing Board	SUCCESSOR AGENCY STAFF Chuck Comstock, Interim Executive Director Tracy Ferrara, Secretary Kirsten Powell, Counsel Scott Hamby, Public Works Director Michelle Fodge, Senior Planner
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Agenda and Agenda Packet Materials: The Oversight Board for the Successor Agency of the Scotts Valley Redevelopment Agency agenda and the complete agenda packet are available for review by 5:00 pm, 72 hours prior to the meeting, on the Internet at the City's website: www.scottsvalley.org and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvalley.org .

CALL TO ORDER 4:00 p.m.

ROLL CALL

PUBLIC COMMENT TIME

(This is the opportunity for individuals to make and/or submit written or oral comments to the Board on any items within the purview of the Board, which are **NOT** part of the Agenda. No action on the item may be taken, but the Board may request the matter be placed on a future agenda.)

ALTERATIONS TO CONSENT AGENDA

(Board can remove or add items to the Consent Agenda.)

CONSENT AGENDA

(The Consent Agenda is comprised of items which appear to be non-controversial. Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

- A. Approve Oversight Board meeting minutes of 1-27-16

- B. Approve Resolution No. OB-31, a resolution of the Oversight Board of the Successor Agency of the Scotts Valley Redevelopment Agency authorizing the transfer of the former Redevelopment Agency's partial interest in the Transit Center property located at 246 Kings Village Road, Scotts Valley, APN 022-212-16

ADJOURNMENT

The Oversight Board for the Successor Agency of the Scotts Valley Redevelopment Agency does not discriminate against persons with disabilities. The Scotts Valley City Council Chambers is an accessible facility. If you wish to attend a Board meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the Secretary's office at (831) 440-5602 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a Board meeting be available in an alternative format consistent with a specific disability, please call the Secretary's Office. The California State Relay Service (TDD to voice: 1-800-735-2929, voice to TDD: 1-800-735-2922), provides Telecommunications Devices for the Deaf and will provide a link between the TDD caller and users of telephone equipment.

PROCEDURAL INFORMATION FOR THE PUBLIC

THE FOLLOWING IS THE PROCEDURE BOARD SHOULD TAKE IN APPROVAL OF A RESOLUTION:

1. Move the Resolution number for approval.
2. Second the motion.
3. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE BOARD SHOULD TAKE IN INTRODUCTION/ADOPTION OF AN ORDINANCE:

1. Move the Ordinance number for introduction (or adoption).
2. Move the Ordinance be introduced by title only and waive the reading of the text.
3. Read the Ordinance title.
4. Second the motion.
5. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE BOARD SHOULD TAKE IN PUBLIC COMMENT/PUBLIC HEARINGS:

Unless otherwise determined by the presiding officer of the meeting:

1. Three minutes allowed per individual to speak.
2. Five minutes allowed per individual representing a group of three or more.



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MINUTES

CONSENT AGENDA ITEM A

DATE: 5-18-2016

Meeting of the Oversight Board for the Successor Agency of the Scotts Valley Redevelopment Agency

Date: January 27, 2016

POSTING:

The agenda was posted on 1-22-16
at City Hall, the SV Senior Center, and
the SV Library, by the City Clerk.

CALL TO ORDER 4:10 p.m.

ROLL CALL

Present:

Board Members: Dene Bustichi, Scotts Valley City Council
John Weiss, City of Scotts Valley
Bruce McPherson, Santa Cruz County Board of Supervisors
Donna Ziel, Cabrillo Community College Governing Board

Successor Agency Staff: Kirsten Powell, Counsel
Tracy Ferrara, Secretary
Michelle Fodge, Senior Planner
Larue Grundy, Accountant II

Absent:
Board Members Jack Dilles, Scotts Valley Community Member
Mike Roske, Scotts Valley Unified School District
Art Smith, Scotts Valley Fire Protection District

PUBLIC COMMENT None.

**ALTERATIONS TO
CONSENT AGENDA**

M/S: McPherson/Ziel

To approve the Consent Agenda.

Carried 4/0/3 (AYES: Bustichi, McPherson, Weiss, Ziel; ABSENT: Dilles, Roske, Smith)

Consent Agenda:

- A. Approve Oversight Board meeting minutes of 9-30-15
- B. Approve Resolution No. OB-28 a resolution of the Oversight Board for the Successor Agency of the Scotts Valley Redevelopment Agency approving a proposed administrative budget for the twelve-month fiscal period from July 1, 2016 through June 30, 2017 and taking certain related actions

- C. Approve Resolution No. OB-29 a resolution of the Oversight Board for the Successor Agency of the Scotts Valley Redevelopment Agency approving a recognized obligation payment schedule (ROPS) for the twelve-month fiscal period from July 1, 2016 through June 30, 2017 and taking certain related actions

**ALTERATIONS TO
REGULAR AGENDA**

M/S: McPherson/Ziel

To approve the Regular Agenda.

Carried 4/0/3 (AYES: Bustichi, McPherson, Weiss, Ziel; ABSENT: Dilles, Roske, Smith)

REGULAR AGENDA

1. Approve Resolution No. OB-30 authorizing the Executive Director of the Successor Agency of the Scotts Valley Redevelopment Agency to sign that certain easement agreement between the Successor Agency of the Scotts Valley Redevelopment Agency, the Santa Cruz Metropolitan Transit District and the Scotts Valley Water District for that certain real property located along Kings Village Road (APN No. 022-212-16)

CA Powell presented the written staff report and responded to questions from the Board.

M/S: Weiss/Ziel

To approve Resolution No. OB-30 authorizing the Executive Director of the Successor Agency of the Scotts Valley Redevelopment Agency to sign that certain easement agreement between the Successor Agency of the Scotts Valley Redevelopment Agency, the Santa Cruz Metropolitan Transit District and the Scotts Valley Water District for that certain real property located along Kings Village Road (APN No. 022-212-16), subject to the Water District obtaining grant funding and selection of a contractor.

Carried 4/0/3 (AYES: Bustichi, McPherson, Weiss, Ziel; ABSENT: Dilles, Roske, Smith)

ADJOURNMENT

The meeting adjourned at 4:20 p.m.

Approved: _____

Dene Bustichi, Chair

Attest: _____

Tracy A. Ferrara, Secretary

Scotts Valley Redevelopment Successor Agency MEMORANDUM

DATE: May 18, 2016

TO: Honorable Chair and Oversight Board Members

FROM: Kirsten Powell, Agency Counsel

SUBJECT: **Approval of Transfer of the Former Scotts Valley Redevelopment Agency's Partial Interest of the Transit Center Property, APN 022-212-16, to the City of Scotts Valley**

SUMMARY OF ISSUE

On February 7, 1996, the Santa Cruz Metropolitan Transit District, a local public agency and a political subdivision of the State of California ("Metro"), granted to the Scotts Valley Redevelopment Agency an undivided 13.87% interest as a Tenant in Common, the property on which the Transit Center is currently located, APN 022-212-16 (the "Property"). Metro operates and maintains the Transit Center and the Property.

Pursuant to Health and Safety Code Section 34175(b) and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.* (53 Cal.4th 231(2011)), on February 1, 2012, all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Scotts Valley Redevelopment Agency (the "Agency") were transferred to the control of the Successor Agency to the Agency (the "Successor Agency") by operation of law. Pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency prepared a long-range property management plan which addressed the disposition and use of the real properties of the former Agency (the "Plan"). The Plan was approved by the Oversight Board of the Successor Agency (the "Oversight Board") on March 20, 2014, and the Department of Finance (the "DOF") on July 15, 2014. The plan inadvertently did not include the Property.

Pursuant to Health and Safety Code Section 34181(a), agencies are permitted to retain properties for governmental use. In those instances, the properties can be conveyed to the City for ownership. In this case, the Property is operated as a public transit center and is jointly owned by the former Agency and another public agency, the Metro. Therefore, it is appropriate to transfer the Property to the City.

At their regular meeting of May 4, 2016, the Scotts Valley Redevelopment Successor Agency approved Resolution No. SA-29, authorizing the transfer of the former Redevelopment Agency's partial interest in the Transit Center property located at 246 King's Village Road, Scotts Valley, APN 022-212-16.

FISCAL IMPACT

None. The Property is maintained by Metro.

STAFF RECOMMENDATION

That the Oversight Board approve Resolution No. OB-31, authorizing the transfer of the Property to the City.

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RESOLUTION NO. OB-31

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY OF THE SCOTTS VALLEY REDEVELOPMENT AGENCY AUTHORIZING THE TRANSFER OF THE FORMER REDEVELOPMENT AGENCY'S PARTIAL INTEREST IN THE TRANSIT CENTER PROPERTY LOCATED AT 246 KINGS VILLAGE ROAD, SCOTTS VALLEY (APN NO. 022-212-16)

WHEREAS, On February 7, 1996, the Santa Cruz Metropolitan Transit District, a local public agency and a political subdivision of the State of California ("Metro"), granted to the Scotts Valley Redevelopment Agency an undivided 13.87% interest as a Tenant in Common, the property on which the Transit Center is currently located, APN 022-212-16 (the "Property").

WHEREAS, Metro currently operates and maintains the Transit Center and the Property.

WHEREAS, Pursuant to Health and Safety Code Section 34175(b) and the California Supreme Court's decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.* (53 Cal.4th 231(2011)), on February 1, 2012, all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Scotts Valley Redevelopment Agency (the "Agency") were transferred to the control of the Successor Agency to the Agency (the "Successor Agency") by operation of law.

WHEREAS, Pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency prepared a long-range property management plan which addressed the disposition and use of the real properties of the former Agency (the "Plan").

WHEREAS, The Plan was approved by the Oversight Board of the Successor Agency (the "Oversight Board") on March 20, 2014, and the Department of Finance (the "DOF") on July 15, 2014.

WHEREAS, The plan inadvertently did not include the Property.

WHEREAS, Pursuant to Health and Safety Code Section 34181(a), agencies are permitted to retain properties for governmental use. In those instances, the properties can be conveyed to the City for ownership.

WHEREAS, the Property is used as a transit center for Santa Cruz County and as such, can be retained by the City for governmental purposes.

NOW THEREFORE, the Oversight Board of the Successor Agency of the Scotts Valley Redevelopment Agency, hereby resolves as follows:

1. That the aforementioned findings are approved.
2. That the transfer of the Property to the City of Scotts Valley is consistent with State law and does not impair the use of the Property as a public facility.
3. That the Executive Director is authorized to transfer the Property to the City of Scotts Valley.

PASSED, APPROVED, AND ADOPTED this 18^h day of May, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dene Bustichi, Chair

ATTEST:

Tracy Ferrara, Board Secretary