



# CITY OF BUELLTON

## OVERSIGHT BOARD MEETING AGENDA

June 9, 2016 – 2:00 p.m.  
Buellton Council Chambers  
140 West Highway 246  
Buellton, California

### TELECONFERENCE MEETING LOCATION:

Oversight Board Members Dan Secord and Tom Alvarez will attend the above referenced meeting via teleconference from the following location:  
County Administrative Building, Suite 406  
105 East Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-3432

### CALL TO ORDER

Board Member Marc Bierdzinski

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Kyle Abello, Tom Alvarez, Marc Bierdzinski, Carolyn Galloway-Cooper, Dan Secord, Mike Black, and Joseph Toney

### PUBLIC COMMENTS

Speaker Slip to be completed and turned in prior to commencement of the Special Meeting. Pursuant to Government Code Section 54954.3(a), speakers may only address the Oversight Board on those items on the agenda. Limited to three (3) minutes per speaker.

### BUSINESS ITEMS

(POSSIBLE ACTION)

1. Approval of May 13, 2016 Oversight Board Meeting Minutes
2. Resolution No. 16-03 – “A Resolution of the Oversight Board to the Successor Agency to the Dissolved Buellton Redevelopment Agency Dissolving the Successor Agency Pursuant to Health & Safety Code Section 34187(b)”

### ADJOURNMENT

The next regular meeting of the Buellton Oversight Board will be announced.

# CITY OF BUELLTON

## OVERSIGHT BOARD MEETING MINUTES

May 13, 2016 – 2:00 p.m.  
Buellton Council Chambers  
140 West Highway 246  
Buellton, California

### CALL TO ORDER

Board Member Bierdzinski called the meeting to order at 2:00 p.m.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Present:** Board Members Kyle Abello, Marc Bierdzinski, Carolyn Galloway-Cooper, and Mike Black

**Via Teleconference:** Vice Chair Dan Secord and Board Member Tom Alvarez

**Staff:** Oversight Board Attorney Bianca Sparks (Via Teleconference) and Oversight Board Secretary Linda Reid

### PUBLIC COMMENTS

None

### BUSINESS ITEMS

Prior to the meeting, Oversight Board Secretary Linda Reid administered the oath of office to Board Member Mike Black.

#### 1. **Minutes of January 21, 2016 Oversight Board Meeting**

##### **MOTION:**

Motion by Board Member Abello, seconded by Vice Chair Secord, approving the meeting minutes of January 21, 2016.

##### **VOTE:**

Motion passed by a voice vote of 5-0, with Board Members Abello, Alvarez, Bierdzinski, Galloway-Cooper, and Secord voting yes. Board Member Black abstained.

**2. Consideration of a Letter from the Successor Agency to the Oversight Board Requesting Formal Dissolution of the Successor Agency**

**MOTION:**

Motion by Board Member Abello, seconded by Board Member Galloway-Cooper approving the letter from the Successor Agency to the Oversight Board requesting formal dissolution of the Successor Agency.

**VOTE:**

Motion passed by a roll call vote of 6-0, with Board Members Abello, Alvarez, Bierdzinski, Black, Galloway-Cooper, and Secord voting yes.

**ADJOURNMENT**

The meeting was adjourned at 2:10 p.m. The next meeting of the Oversight Board will be announced.

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Marc Bierdzinski  
Board Member

**ATTEST:**

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Linda Reid  
Oversight Board Secretary

**CITY OF BUELLTON**  
Oversight Board Agenda Staff Report

Executive Director Review: MPB  
Oversight Board Agenda Item No.: 2

To: The Honorable Chair and Oversight Board Members

From: Carolyn Galloway-Cooper, Finance Director / Board Member

Meeting Date: June 9, 2016

Subject: Resolution No. 16-03 – “A Resolution of the Oversight Board to the Successor Agency to the Dissolved Buellton Redevelopment Agency Dissolving the Successor Agency Pursuant to Health & Safety Code Section 34187(b)”

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**BACKGROUND**

The Successor Agency authorized the City Manager to send the attached letter to the Oversight Board requesting approval to formally terminate its existence. Pursuant to HSC Section 34187(b), the Successor Agency has paid of its debts, disposed of all real property and met the criteria to dissolve.

Upon Oversight Board approval of its Resolution, it will be sent to the Department of Finance and the Santa Barbara County Auditor –Controller who will confirm that all funds have been paid to them. The Successor Agency will await a notice from the Department of Finance acknowledging the end of the Agency’s existence under HSC Section 34187(e).

Within 14 days of date of the notice from the Department of Finance, the Oversight Board shall adopt a final resolution of dissolution for the Successor Agency.

**FISCAL IMPACT**

Approval of the Resolution requesting formal dissolution of the Successor Agency has no fiscal impact. If any funds are due to the Auditor-Controller, they are reimbursements for overpayments.

**RECOMMENDATION**

That the Oversight Board approve Resolution No. 16-03 requesting formal dissolution of the Successor Agency.

**ATTACHMENTS**

Oversight Board Resolution No. 16-03

Attachment 1 – Letter to the Oversight Board to the Successor Agency to the Dissolved  
Buellton Redevelopment Agency

**RESOLUTION NO. 16-03**

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE DISSOLVED BUELLTON REDEVELOPMENT AGENCY DISSOLVING THE SUCCESSOR AGENCY PURSUANT TO HEALTH & SAFETY CODE SECTION 34187(b)**

**WHEREAS**, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos* (“*Matosantos*”), finding Assembly Bill X1 26 (the “Dissolution Act”) largely constitutional; and

**WHEREAS**, under the Dissolution Act and the California Supreme Court’s decision in *Matosantos*, all California redevelopment agencies, including the Buellton Redevelopment Agency of the City of Buellton (“Agency”), were dissolved on February 1, 2012, and successor agencies, including the Agency, were designated and vested with the responsibility of winding down the business and fiscal affairs of the former redevelopment agencies; and

**WHEREAS**, on September 27, 2012, the City Council of the City of Buellton (the “City”) adopted Resolution No. 12-24 accepting for the City the role of successor agency and establishing the Successor Agency of the Former Buellton Redevelopment Agency (the “Successor Agency”), in accordance with the provisions of Health & Safety Code Section 34177(j); and

**WHEREAS**, in accordance with Health & Safety Code Section 34187(b), when all enforceable obligations have been retired or paid off, all real property has been disposed of pursuant to Health & Safety Code Section 34181 or 34191.4, and all outstanding litigation has been resolved, a successor agency shall, within 30 days of meeting the aforementioned criteria, submit to the oversight board a request, with a copy of the request to the county auditor - controller, to formally dissolve the successor agency. The oversight board shall approve the request within 30 days, and shall submit the request to the Department of Finance; and

**WHEREAS**, the Successor Agency’s enforceable obligations have been paid off, its sole real property asset disposed of on February 25, 2016 and its request to dissolve received by the Oversight Board to the Successor Agency on or about May 13, 2016; and

**WHEREAS**, a copy of the letter from the Successor Agency to the Oversight Board requesting dissolution is attached hereto as Exhibit A, and incorporated herein by reference; and

**WHEREAS**, approval of this Resolution is exempt from the California Environmental Quality Act (“CEQA”) per CEQA Guidelines Section 15320, Changes in Organization of Local Agencies.

**NOW, THEREFORE, THE OVERSIGHT BOARD OF THE BUELLTON SUCCESSOR AGENCY DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct and are incorporated herein by reference.

**SECTION 2.** All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law.

**SECTION 3.** The Oversight Board hereby finds and determines that, based upon substantial evidence provided by the Successor Agency, the Successor Agency has completed its prescribed obligations under Health & Safety Code Section 34187(b) and dissolving the Successor Agency is appropriate under State law, and hereby approves the Successor Agency's request to formally dissolve, and requests that the Department of Finance approve the dissolution.

**SECTION 4.** The Oversight Board hereby directs the Successor Agency's Secretary to immediately transmit a copy of this Resolution to the Department of Finance and the Santa Barbara County Auditor-Controller.

**SECTION 5.** The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.

**SECTION 6.** The Oversight Board Secretary shall certify to the passage and adoption of this Resolution and enter it into the respective book of original resolutions.

**SECTION 7.** This Resolution shall take effect immediately upon adoption.

**PASSED, APPROVED AND ADOPTED** this 21<sup>st</sup> day of January, 2016.

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Marc Bierdzinski  
Board Member

ATTEST:

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Linda Reid  
Oversight Board Secretary



# City of Buellton

May 13, 2016

Oversight Board to the Buellton Successor Agency  
P.O. Box 1819  
Buellton, CA 93427

Subject: Request to Dissolve the City of Buellton Successor Agency

Dear Board Members:

The Successor Agency requests approval to terminate its existence. This request is pursuant to Health and Safety Code Section 34187(b).

The Successor Agency has paid off all debts and disposed of all real property. We are sending a copy of this letter to the Santa Barbara County Auditor-Controller who will confirm that all funds have been paid to them. This letter will also be sent to the Department of Finance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Moore'.

Carolyn Galloway-Cooper  
Finance Director/Oversight Board Member

Attachment: Resolution No. 16-03

c: Santa Barbara County Auditor-Controller  
California Department of Finance