



CITY OF BUELLTON

OVERSIGHT BOARD MEETING AGENDA

July 15, 2016 – 2:00 p.m.
Buellton Council Chambers
140 West Highway 246
Buellton, California

TELECONFERENCE MEETING LOCATION:

Oversight Board Members Dan Secord and Joseph Toney 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 June 9, 2016 Oversight Board Meeting Minutes
2. Resolution No. 16-04 – “A Resolution of the Oversight Board to the Successor Agency to the Dissolved Buellton Redevelopment Agency Approving, Ratifying, Confirming, Declaring, and Acknowledging the Termination of the Successor Agency Pursuant to Health & Safety Code Section 34187(f)”

ADJOURNMENT

CITY OF BUELLTON

OVERSIGHT BOARD MEETING MINUTES

June 9, 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 Marc Bierdzinski, Carolyn Galloway-Cooper, and Mike Black, Joseph Toney

Absent: Board Member Kyle Abello

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

Staff: 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 Joseph Toney.

1. **Minutes of May 13, 2016 Oversight Board Meeting**

MOTION:

Motion by Board Member Bierdzinski, seconded by Board Member Galloway-Cooper, approving the meeting minutes of May 13, 2016.

VOTE:

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

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)”

MOTION:

Motion by Board Member Bierdzinski, seconded by Board Member Black approving Resolution No. 16-03 and changing the Resolution approval date to June 9, 2016.

VOTE:

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

ADJOURNMENT

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

Marc Bierdzinski
Board Member

ATTEST:

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: July 15, 2016

Subject: Resolution No. 16-04 – “A Resolution of the Oversight Board to the Successor Agency to the Dissolved Buellton Redevelopment Agency Approving, Ratifying, Confirming, Declaring and Acknowledging the Termination of the Successor Agency Pursuant to Health & Safety Code Section 34187(f)”

BACKGROUND

We have received written confirmation from the Department of Finance (DOF) allowing the Successor Agency to formally dissolve. Pursuant to HSC Section 34187(f), within 14 days of receipt of the Department of Finance letter, the Oversight Board shall adopt a final resolution of dissolution for the Successor Agency. The Agency has met the required conditions outlined in HSC Section 34187(b):

- All enforceable obligations have been retired or paid off.
- All real property has been disposed of pursuant to HSC section 34181 or 34191.4.
- All outstanding litigation has been resolved.

Upon Oversight Board approval of its Resolution, it will be sent to the Successor Agency, DOF), State Controller’s Office and the Santa Barbara County Auditor –Controller. The DOF will issue a final letter acknowledging the end of the Agency’s existence.

FISCAL IMPACT

None

RECOMMENDATION

That the Oversight Board approve Resolution No. 16-04 - “A Resolution of the Oversight Board to the Successor Agency to the Dissolved Buellton Redevelopment Agency Approving, Ratifying, Confirming, Declaring and Acknowledging the Termination of the Successor Agency Pursuant to Health & Safety Code Section 34187(f)”

ATTACHMENTS

Oversight Board Resolution No. 16-04

Attachment 1 – Department of Finance letter of approval to dissolve and terminate existence.

RESOLUTION NO. 16-04

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE DISSOLVED BUELLTON REDVELOPMENT AGENCY APPROVING, RATIFYING, CONFIRMING, DECLARING AND ACKNOWLEDGING THE TERMINATION OF THE SUCCESSOR AGENCY PURSUANT TO HEALTH & SAFETY CODE SECTION 34187(f)

WHEREAS, pursuant to ABX1 26 enacted in June 2011 (as amended by AB 1484 enacted in June 2012, the “Dissolution Law”), the Redevelopment Agency of the City of Buellton (the “Dissolved RDA”) was dissolved as of February 1, 2012, and the City of Buellton acting in a separate limited capacity and known as the Successor Agency of the Redevelopment Agency of the City of Buellton, elected to serve as the successor agency (the “Successor Agency”) of the Dissolved RDA; and

WHEREAS, pursuant to Health and Safety Code Section 34173(g), as added by the Dissolution Law, the Successor Agency is a separate legal entity from the City of Buellton (the “City”); and

WHEREAS, the City Council of the City serves in a separate capacity as the governing board of the Successor Agency; and

WHEREAS, the Successor Agency was charged with paying the enforceable obligations disposing of the properties and other assets, and unwinding the affairs of the Dissolved RDA; and

WHEREAS, in accordance with the Dissolution Law (with particular reference to Health and Safety Code Section 34187(b)), the Successor Agency has taken actions required to be eligible for its termination, including, without limitation:

1. Fully repaying and retiring all debt of the Dissolved RDA; and
2. Fully performing, assigning or terminating all contracts and other obligations of the Dissolved RDA; and
3. Fully disposing of all remaining assets of the Dissolved RDA; and
4. Remitting to the Santa Barbara County Auditor-Controller, for distribution to the affected taxing entities, all remaining funds in the possession of the Successor Agency; and
5. Submitting to the California Department of Finance (the “DOF”) all documentation required by the DOF evidencing the Successor Agency’s eligibility and intent to terminate its existence; and

WHEREAS, by letter dated July 5, 2016 the DOF has approved the request for dissolution of the Agency under OB Resolution No. 16-03; and

WHEREAS, approval of this Resolution is exempt for the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15320, Changes in Organization of Local Agencies; and

WHEREAS, the staff report (the “Staff Report”) accompanying this Resolution contains additional information and analysis upon which the findings and actions set forth in this Resolution are based.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Buellton Successor Agency does hereby resolve that the above Recitals are true and correct, and together with the Staff Report and other information provided by the City/Successor Agency staff and the public, form the basis for the findings and actions set forth in this Resolution.

BE IT FURTHER RESOLVED that approval of this Resolution is exempt from the requirements of CEQA. The City Manager, or the City Manager’s designee, is hereby authorized and directed to file a notice of exemption in accordance with CEQA in connection with approval of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall take immediate effect upon adoption.

PASSED, APPROVED AND ADOPTED this 15th day of July, 2016.

Marc Bierdzinski
Board Member

ATTEST:

Linda Reid
Oversight Board Secretary



July 5, 2016

Ms. Carolyn Galloway-Cooper, Finance Director
City of Buellton
107 West Highway 246
P.O. Box 1819
Buellton, CA 93427

Dear Ms. Galloway-Cooper:

Subject: Approval of Redevelopment Successor Agency Dissolution

The City of Buellton Successor Agency (Agency) notified the California Department of Finance (Finance) of its June 9, 2016 Oversight Board (OB) Resolution. Pursuant to Health and Safety Code (HSC) section 34179 (h), Finance has completed its review of the OB action.

Based on our review and application of the law, OB Resolution No. 16-03, approving the dissolution of the Agency, is approved. Pursuant to HSC 34187 (d), Finance is approving the Agency's request to dissolve based on the understanding the Agency has met the required conditions outlined in HSC section 34187 (b):

- All enforceable obligations have been retired or paid off.
- All real property has been disposed of pursuant to HSC section 34181 or 34191.4.
- All outstanding litigation has been resolved.

Pursuant to HSC section 34187 (e), within 100 days upon receipt of this letter, the Agency shall dispose of any remaining assets as directed by the OB. Any proceeds from asset dispositions are to be transferred to the Santa Barbara County-Auditor Controller. In addition, the Agency is to notify the OB of its compliance related to any remaining assets. Upon notification of Agency's compliance, and within 14 days of verification, the OB shall adopt and submit to Finance a final resolution of dissolution for the Agency, which shall be effective immediately.

This is our determination with respect to the OB action taken.

Please direct inquiries to Kylie Oltmann, Supervisor, or Jonathan Cox, Analyst, at (916) 445-1546.

Sincerely,

JUSTYN HOWARD
Program Budget Manager

cc: on the following page

Ms. Carolyn Galloway-Cooper

July 5, 2016

Page 2

cc: Mr. Marc P. Bierdzinski, City Manager, City of Buellton
Mr. Ed Price, Division Chief Property Tax Division, Santa Barbara County