

**SPECIAL MEETING OF THE
OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE FORMER MADERA REDEVELOPMENT AGENCY**

**Monday, January 7, 2013
9:00 a.m. – Regular Session
City of Madera City Hall – Council Chambers
205 West Fourth Street, Madera, California**

Action/Summary Minutes

1. CALL TO ORDER – REGULAR SESSION

Meeting called to order by Chairperson Brett Frazier at 9:00 a.m.

ROLL CALL

Board Members Present:

Brett Frazier, Chairperson
Stell Manfredi, Vice-Chairperson
Ronn Dominici, Board Member
Dr. Cecilia Massetti, Board Member
Bob Wilson, Board Member

Board Member Absent:

Ric Arredondo, Board Member
Donald Horal, Board Member

Staff Members Present:

Successor Agency Executive Director Jim Taubert, Successor Agency General Counsel Brent Richardson,
Successor Agency Secretary Sandi Brown.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Frazier.

PUBLIC COMMENT

The first fifteen minutes of the meeting are reserved for members of the public to address the Board on items which are within the subject matter jurisdiction of the Board. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Board does not respond to public comment at this time.

Chairperson Frazier opened the public comment portion of the meeting. There being no comments offered, the public comment portion of the meeting was closed.

2. CONSENT CALENDAR

2.1 Minutes of the Special Meeting of the Oversight Board for November 5, 2012

2.2 Minutes of the Regular Meeting of the Oversight Board for December 17, 2012

Action: Approval of the Consent Calendar items as presented.

Moved by: Board Member Massetti; seconded by Board Member Manfredi.

Vote: 4/0. Ayes: Board Members Frazier, Manfredi, Massetti and Wilson; Noes: None; Absent: Board Members Arredondo and Horal; Abstention: Board Member Dominici.

3. PRESENTATIONS/ADMINISTRATIVE REPORTS

There are no items for this section.

4. **NEW BUSINESS**

4.1 **Consideration of a Resolution Approving the Due Diligence Review of all Non-Housing Funds and Accounts Submitted by Gallina, LLP, Certified Public Accountants**

Summary of staff report: Successor Agency Executive Director Jim Taubert presented the staff report advising the Public Comment Session related to the Due Diligence Review of all non-housing funds and accounts was held Monday, December 17, 2012 and no comments were offered by members of the public or the staff of the Madera County Auditor-Controller's Office. He also advised no written comments have been received. He stated that the purpose of this audit was to place a value on all assets that were transferred between the Madera Redevelopment Agency to the Successor Agency; determine how much was inappropriately transferred from the Redevelopment Agency to the City; and determine the dollar value of any cash transferred inappropriately from the Madera Redevelopment Agency to any other public agency. He reported that the audit accomplished that and agreed that we transferred a cash balance of \$16,369,231 from the Redevelopment Agency to the Successor Agency; confirmed there were no illegal transfers of assets to the City or Madera County or any other public entity; and that there are no funds available for distribution. Mr. Taubert stated staff's recommendation is for the Oversight Board to adopt the resolution approving the Due Diligence Review of all non-housing funds and accounts and authorize staff to submit to the Department of Finance. Discussion followed.

Action: Adopted Resolution No. OB 13-01, approving a resolution of the Oversight Board of the Successor Agency to the former Madera Redevelopment Agency approving the Due Diligence Review of all non-housing funds and accounts and authorizing the Successor Agency staff to transmit portions thereof as required by the Health and Safety Code.

Moved by: Board Member Manfredi; seconded by Board Member Dominici.

Vote: 5/0. Ayes: Board Members Frazier, Manfredi, Dominici, Massetti and Wilson; Noes: None; Absent: Board Members Arredondo and Horal.

4.2 **Consideration of a Minute Order Acknowledging and Affirming the Asset Transfer Review as Conducted by the State Controller's Office**

Summary of staff report: Successor Agency Executive Director Jim Taubert presented the staff report noting that he previously reported the State Controller's Office (SCO) completed the audit of asset transfers that was conducted last August. Mr. Taubert advised the SCO issued a letter on November 6, 2012 stating that the property transferred from the former RDA to the State of California for the courthouse that occurred in November 2011 was unallowable. Staff submitted a challenge to that finding and the SCO came back and agreed that the transfer was allowable and issued the Successor Agency a clean bill of health, which, he said, is key in the Agency receiving a finding of completion. The Chairperson asked if members of the Board had questions for staff; there were no further comments or questions.

Action: Approval of the Minute Order Acknowledging and Affirming the Asset Transfer Review as Conducted by the State Controller's Office.

Moved by: Board Member Massetti; seconded by Board Member Dominici.

Vote: 5/0. Ayes: Board Members Frazier, Manfredi, Dominici, Massetti and Wilson; Noes: None; Absent: Board Members Arredondo and Horal.

5. **GENERAL**

There are no items for this section.

6. **BOARD MEMBER REPORTS**

Dr. Massetti reported that the Madera County Office of Education is in the process of moving into their new location at 1105 South Madera Avenue. She noted an Open House is being planned for February, probably February 11, 2013, and added that e-mail invites would be sent out soon.

7. **ADJOURNMENT**

The meeting was adjourned at 9:10 a.m.

Sandi Brown, Agency Secretary

Brett Frazier, Chairperson

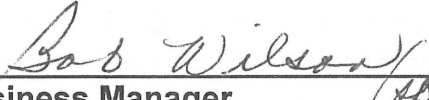
/sb

**REPORT TO THE OVERSIGHT BOARD
OF THE SUCCESSOR AGENCY
OF THE FORMER MADERA REDEVELOPMENT AGENCY**

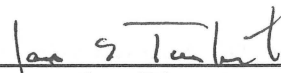
BOARD MEETING OF: February 19, 2013

AGENDA ITEM NUMBER: 4.1

APPROVED BY:



Business Manager



Executive Director

Subject: Consideration of a Resolution Adopting the Madera Recognized Obligation Payment Schedule 13-14A (ROPS) for Fiscal Year 2013-2014 Representing the Period July 1, 2013 to December 31, 2013

Summary: The Oversight Board will consider a resolution approving the Recognized Obligation Payment schedule 13-14A (ROPS) for the period July 1, 2013 through December 31, 2013.

HISTORY/BACKGROUND

AB1484 requires the submittal of an approved ROPS by March 1, 2013. Failure to comply can result in a fine of \$10,000.00 per day. On January 29, 2013, the Department of Finance sent notification that they were changing the format of the ROPS. The changes are listed as follows:

- Finance is currently developing a web application to bring the biannual ROPS process on-line. Finance will continue with a workbook-based process for the next two cycles.
- The ROPS name has a new naming convention. The new name beginning with this period is 13-14 A (for fiscal year 2013-14 and "A" representing the first half of the fiscal year).
- The ROPS form has been pre-populated with the obligations reported in ROPS III.
- Obligations denied by Finance have been color coded a pale red and the cells have been locked for inputting. This is to preserve the line item number assigned to the obligation. Retired obligations are highlighted in green.
- If a denied item is pending a Finding of Completion, notate the item number, pending status, and the amount in the Notes tab.
- The LMIHF funding source column on Tab 3 has been omitted from the ROPS form since the LMIHF balances should have been remitted to the affected taxing entities. To the extent LMIHF was approved to be retained to cover future obligations in your LMIHF Due Diligence Review, please note the funding source as "Reserves".
- Obligations of the Housing Entity (including administrative costs) do not belong on the ROPS. Per HSC §34176 (a) (1) the housing entity is responsible for the housing duties and obligations previously performed by the redevelopment agency. The housing entity is

responsible for its own operations and administrative costs. Funding for enforceable obligations transferred to the Housing Entity is addressed in HSC §34176(g)(1)(B).

SITUATION

While it's still early, progress on the January 1, 2013 through June 30, 2013 ROPS should include the following:

- Arborpoint (\$375,000). The project is completed. Pending an audit of project costs, we should be able to close out the project.
- Yosemite/Elm Traffic Signal (\$412,500). The bid will be awarded on March 13, 2013. There is a 120 day construction schedule.
- Madera County Courthouse Agreement. We have initiated pre-acquisition activities for the church at 300 South "G" Street. On February 5, 2013, the Board of Supervisors directed the appraisal of properties at 212 7th Street, 305 South 'H' Street, and 309 South 'H' Street.

Property values declined for the fourth consecutive year so the timing of projects will require careful monitoring.

The Successor Agency reviewed and approved the ROPS for fiscal year 2013-2014 representing the period July 1, 2013 to December 31, 2013 at their meeting on February 13, 2013. Copies were provided to the Madera County Administrative Officer, the County Auditor-Controller and the Department of Finance.

RECOMMENDATION

Staff recommends the Oversight Board adopt the resolution approving the Madera Recognized Obligation Payment Schedule 13-14A (ROPS) for fiscal year 2013-2014 representing the period July 1, 2013 to December 31, 2013, and authorize staff to submit the approved ROPS to the Madera County Auditor-Controller, the State Controller's Office and Department of Finance.

JET:sb

Attachment:
-Resolution
-ROPS

RESOLUTION NO. OB 13-___

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR
AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY
APPROVING THE RECOGNIZED OBLIGATION PAYMENT
SCHEDULE FOR THE PERIOD JULY 1, 2013 THROUGH DECEMBER
31, 2013**

WHEREAS, the Oversight Board to the Successor Agency to the former Madera Redevelopment Agency has been appointed pursuant to the provision of Health and Safety Code Section 34179; and

WHEREAS, Health and Safety Code Section 34177(l)(2)(B) and 34180(g) require the approval of the Recognized Obligation Payment Schedule (ROPS) by the Oversight Board; and

WHEREAS, a Recognized Obligation Payment Schedule for the period July 1, 2013 through December 31, 2013 has been prepared in a format provided by the California Department of Finance; and

WHEREAS, on February 13, 2013 the Successor Agency to the former Madera Redevelopment Agency approved the Recognized Obligation Payment Schedule for the period July 1, 2013 through December 31, 2013; and

WHEREAS, the Recognized Obligation Payment Schedule, in a form approved by the Successor Agency to the former Madera Redevelopment Agency, is presented to the Oversight Board for its consideration at a regular meeting of the Oversight Board held on February 19, 2013.

NOW, THEREFORE, the Oversight Board of the Successor Agency to the former Madera Redevelopment Agency hereby finds, orders, and resolves:

1. The above recitals are true and correct.
2. The Oversight Board has reviewed and considered the Recognized Obligation Payment Schedule for the period July 1, 2013 through December 31, 2013 as presented and approved by the Successor Agency to the former Madera Redevelopment Agency, a copy of which is attached hereto as Exhibit A.
3. The Recognized Obligation Payment Schedule for the period July 1, 2013 through December 31, 2013, as set forth in Exhibit A attached hereto and by this reference incorporated herein, is hereby approved by the Oversight Board.
4. The certification of the Summary of Recognized Obligation Payment Schedule page is hereby approved and the Chairperson is authorized to execute the document on behalf of the Oversight Board.

5. The Oversight Board authorizes and directs the Executive Director of the Successor Agency to the former Madera Redevelopment Agency to:

(a) Transmit a copy of the adopted Recognized Obligation Payment Schedule for the period July 1, 2013 through December 31, 2013 by mail or electronic means to the State Department of Finance, the State Controller's Office, the Madera County Auditor-Controller, and the Madera County Administrative Officer.

(b) Post the Recognized Obligation Payment Schedule for the period July 1, 2013 through December 31, 2013 on the City's website.

6. This resolution shall become effective immediately upon adoption.

* * * * *

PASSED AND ADOPTED by the Oversight Board of the Successor Agency to the former Madera Redevelopment Agency this 19th day of February 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Brett Frazier, Chairperson

ATTEST:

Sandi Brown, Agency Secretary

SUCCESSOR AGENCY CONTACT INFORMATION

Successor Agency

ID: 159
County: Madera
Successor Agency: Madera

Primary Contact

Honorific (Ms, Mr, Mrs)

Mr.

First Name

JIM

Last Name

Taubert

Title

Executive Director

Address

428 East Yosemite Ave

City

Madera

State

CA

Zip

93638

Phone Number

559-661-5110

Email Address

jtaubert@cityofmadera.com

Secondary Contact

Honorific (Ms, Mr, Mrs)

Mr.

First Name

Bob

Last Name

Wilson

Title

Business Manager

Phone Number

559-661-5188

Email Address

bwilson@cityofmadera.com

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: **MADERA (MADERA)**

Outstanding Debt or Obligation	Total
Total Outstanding Debt or Obligation	\$100,404,285

Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$3,618,905
B Enforceable Obligations Funded with RPTTF	\$2,747,015
C Administrative Allowance Funded with RPTTF	\$125,000
D Total RPTTF Funded (B + C = D)	\$2,872,015
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$6,490,920
F Enter Total Six-Month Anticipated RPTTF Funding	\$2,733,900
G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	(\$138,115)

Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))

H Enter Estimated Obligations Funded by RPTTF <i>(lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)</i>	\$2,633,897
I Enter Actual Obligations Paid with RPTTF	\$2,508,897
J Enter Actual Administrative Expenses Paid with RPTTF	\$125,000
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$0
L Adjustment to RPTTF (D - K = L)	\$2,872,015

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

MADERA (MADERA)
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)
 July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
1	1998 Tax Allocation Bond	
2	2003 Tax Allocation Bond	
3	2008A Tax Allocation Bond	
4	2008B Tax Allocation Bond	
5	BNYMT Trustee fees 1998 Series	
6	BNYMT Trustee fees 2003 Series	
7	BNYMT Trustee fees 2008 Series & Arbitrage	
8	Aribtrage Calcuatlions - contract	
9	Bond Disemination	
10	State CalHFA Loan HELP	
11	Annual Audit Project management	
12	Continuing Disclosure Rpt	
13	Annual Report	
14	5 Year Imp Plan	
15	Statement of Indebtedness	
16	State Controllers Report	
17	HCD Report	
18	Standard & Poors Report	
19	AB 987 Reporting	Per DOF LMIF Due Diligence Review - Funds to be requested in ROPS to satisfy obligations that were not allowed to be encumbered in reserve.
20	Affordable Housing Monitoring	Per DOF LMIF Due Diligence Review - Funds to be requested in ROPS to satisfy obligations that were not allowed to be encumbered in reserve.
21	Property Management	Per DOF LMIF Due Diligence Review - Funds to be requested in ROPS to satisfy obligations that were not allowed to be encumbered in reserve.
22	Public Notice Requirement	
23	SA & Oversight Board Meeting pre & post	
24	OSCA GRANT	
25	Required Public Noticing	
26	Replacement Housing Obligation program cost	Per DOF LMIF Due Diligence Review - Funds to be requested in ROPS to satisfy obligations that were not allowed to be encumbered in reserve.
27	Commercial Property Liquidation	
28	Annual Audit - Contract Cost	
29	Insurance Premiums	
30	Oversight Board	
31	Herbicide Property Maintenance	Per DOF LMIF Due Diligence Review - Funds to be requested in ROPS to satisfy obligations that were not allowed to be encumbered in reserve.
32	Property Tax Services	
33	City Services	
34	Successor Agency Board Members	
35	SA OB Web Development	
36	Employee Leave Balances	
37	Arborpoint	Funds should be expended in ROPS III if not will carry forward to Madera ROPS 13-14A
38	Riverside Villas	Project could move forward if delayed funding occurs on ROPS III projects.
39	Midtown Village Subdivision	
40	MUSD 308 S. J Street	
41	County of Madera Courthouse Agmt	
42	Tribune - Honda Construction Loan	
43	Avenue 16 Landscape Project	
44	Downtown Streetscape	
45	Sonora/Green/Columbia/sierra Improvement project	
46	Laurel Linear Park	
47	Airport Infrastructure Master Plan	
48	Southwest Industrial Park Master Plan	
49	"E" Street Improvement Project	
50	Property Tax Admin Fee	
51	Procedural Audit	
52	Housing Asset Audit	
53	Successor Agency Employee Cost	
54	Other SA Admin Costs	
55	AT&T	
56	PG&E	
57	PG&E	
58	Adell Imp Project	
59	Adell Improvement Project	Pending finding of completion - bond funding
60	Ave 16 Improvements	Pending finding of completion - bond funding
61	Canal Relocation	
62	Laurel Linear Park	
63	428 Yosemite Plaza	
64	Lake St median project	
65	Housing Bond Fund Obligations	Unspent Housig Bond Proceeds \$818,127 Bond
66	Riverwalk Subdivision	Pending finding of completion - bond funding

MADERA (MADERA)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)

July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
67	Riverwalk Subdivision	Pending finding of completion - bond funding
68	Lake/Adell Street Project	
69	Demo 14	
70	Central Madera Street Project	
71	Midtown Village	Pending finding of completion - bond funding
72	Midtown Village	Pending finding of completion - bond funding
73	Midtown Village	Pending finding of completion - bond funding
74	Midtown Village	Pending finding of completion - bond funding
75	Project Operations	
76	Project Operations	
77	Project Operations	
78	Project Operations	
79	Riverwalk Subdivision	Pending finding of completion - bond funding
80	Sunrise Park	
81	Operation Civic Pride	
82	Elm & Yosemite Traffic Signal	This project included on the Non Housing DDR and awarded March 14, 2013
83	SA Project Employee Cost	
84	California Conservation corps	
85	Property Maintenance 428 Yosemite	
86	Property Maintenance 120 N. E St.	
87	Server upgrade	
88	Replacement Housing Obligation	
89	Bond Reserve Requirement	Dollar Amount Per Non Housing Due Diligence held by bond trustee..
90	1708 Lake Street Lot Split	
91	NSP3 Projects	
92	Abandoned Vehicle Authority	
93	Waste Tire Grant Management	
94	CDBG	
95	Property Maintenance 5 E. Yosemite	
96	State CalHFA Loan HELP	
97	Soil Remediation 1350 Yose	
98	RDAM1\2011M1	
99	RDAM1\2011M1	

**REPORT TO THE OVERSIGHT BOARD
OF THE SUCCESSOR AGENCY TO THE FORMER
MADERA REDEVELOPMENT AGENCY**

BOARD MEETING OF: February 19, 2013

AGENDA ITEM NUMBER: 4.2

APPROVED BY:



Executive Director

Subject: Consideration of a Resolution Approving the Administrative Budget of the Successor Agency for Period July 1, 2013 through December 31, 2013

Summary: The Oversight Board will consider a resolution approving the Administrative Budget for the administrative costs of the Successor Agency for the period July 1, 2013 through December 31, 2013.

HISTORY/BACKGROUND

ABx1 26 and AB1484 provide for an administrative cost allowance funded from property tax to pay for certain costs incurred for winding down the affairs of redevelopment agencies. We are limited to \$250,000.00. Other sources to fund administrative costs include:

- Low and Moderate Income Housing Fund
- Bond Proceeds
- Reserve Balances
- Grants

Administrative costs are those necessary to carry out enforceable obligations. Additionally, although ABx1 26 dissolved redevelopment, it did not eliminate any reporting requirements with the exception of the Statement of Indebtedness. AB 1484 has added a number of new requirements, the most significant of which is the future preparation of a Property Management Plan.

RECOMMENDATION

Staff recommends the Oversight Board adopt the resolution approving Administrative Budget for the period July 1, 2013 through December 31, 2013.

JET:sb

Attachment:
-Resolution
-Adm Cost Budget

SUCCESSOR AGENCY OF THE FORMER MADERA REDEVELOPMENT AGENCY
 Administrative Budget FY 2013-14 Partial
 (July 1, 2013 to December 31, 2013)

Description	RPTTF	Adm Allowance	Other
Salaries & Benefits	\$ 84,994	\$ 75,000	\$ 85,024
Gas and Electric Utilities		4,340	10,800
Telephone and Fax Charges		1,182	
Cellular Phone and Pager Charges		282	
Advertising - Job Announcements		-	
Advertising - Bids and Legal Notices		796	
Professional Dues		1,638	3,144
Publications and Subscriptions		-	
Office Supplies - Expendable		5,787	4,842
Postage / Other Mailing Charges		4,533	
Mileage Reimbursement		1,013	
Contracted Services		13,270	
Audit Fees		-	
Other Supplies		843	
Building Supplies, Keys and Repairs	2,000	4,581	5,000
Liability, Property Insurance		2,562	
Conference / Training / Education		3,869	
Other New Equipment		5,304	
Interfund Charge - City Services	-	-	-
TOTAL ADMINISTRATIVE BUDGET	\$ 86,994	\$ 125,000	\$ 108,810

Funding Sources:
 Bond Proceeds
 Reserve Balances
 Grants
 Redevelopment Property Tax Trust Fund (RPTTF)

RESOLUTION NO. OB 13-___

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR
AGENCY TO THE FORMER MADERA REDEVELOPMENT AGENCY
APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE
BUDGET FOR JULY 1, 2013 THROUGH DECEMBER 31, 2013**

WHEREAS, the Oversight Board to the Successor Agency to the former Madera Redevelopment Agency has been appointed pursuant to the provision of Health and Safety Code Section 34179; and

WHEREAS, Health and Safety Code Section 34177(j)(1) requires the Successor Agency to submit an Administrative Budget of the administrative costs of the Successor Agency for each six-month fiscal period to the Oversight Board for approval; and

WHEREAS, at their meeting on February 13, 2013 the Successor Agency to the former Madera Redevelopment Agency approved an Administrative Budget for July 1, 2013, through December 31, 2013; and

WHEREAS, the Administrative Budget has been presented to the Oversight Board for consideration at the regular meeting of the Oversight Board on February 19, 2013.

NOW, THEREFORE, the Oversight Board of the Successor Agency to the former Madera Redevelopment Agency hereby finds, orders, and resolves:

1. The above recitals are true and correct;
2. The Oversight Board has reviewed and considered the Administrative Budget for administrative costs for the period of July 1, 2013 through December 31, 2013 as presented and approved by the Successor Agency to the former Madera Redevelopment Agency a copy of which is attached hereto as Exhibit A.
3. The Administrative Budget, as set forth in Exhibit A attached hereto and by this reference incorporated herein, is hereby approved by the Oversight Board.
4. The Oversight Board authorizes staff to transmit a copy of the Administrative Budget by mail or electronic means to the Madera County Auditor-Controller.
4. This resolution shall become effective immediately upon adoption.

* * * * *

PASSED AND ADOPTED by the Oversight Board of the Successor Agency to the former Madera Redevelopment Agency this 19th day of February 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Brett Frazier, Chairperson

ATTEST:

Sandi Brown, Agency Secretary

**REPORT TO THE OVERSIGHT BOARD
OF THE SUCCESSOR AGENCY
OF THE FORMER MADERA REDEVELOPMENT AGENCY**

BOARD MEETING OF: February 19, 2013

AGENDA ITEM NUMBER: 4.3

APPROVED BY:



Executive Director

Subject: Report on Communications from the Department of Finance and State Controller's Office

Summary: The Oversight Board will be provided with an update on recent communications with the Department of Finance (DOF) and the State Controller's Office (SCO).

HISTORY/BACKGROUND

Attachment A is an e-mail from the Department of Finance (DOF) indicating further review on a number of projects, many of which were approved in May, 2012. We pointed out that Health and Safety Code 34179(h) states:

(h) The Department of Finance may review an oversight board action taken pursuant to this part. Written notice and information about all actions taken by an oversight board shall be provided to the department by electronic means and in a manner of the department's choosing. An action shall become effective five business days after notice in the manner specified by the department is provided unless the department requests a review.

Attachment B is a significantly downsized request for information on items that have also exceeded the statutory timeline for DOF review; however, we have provided them with the requested information. Typically, they don't inform us if there is not a problem.

Our "meet and confer" interview was scheduled for February 8, 2013. The issues were as follows:

1. Consideration of a Resolution Approving Affordability Covenants and Restrictions for the Arborpoint Project. Based upon a request from the State of California, Pacific West modified the number of two (2), three (3) and four (4) bedroom units that would be constructed. The resolution was approved on June 8, 2011 (21 days before the passage of ABx1 26). Pacific West is based in Idaho. Since they didn't execute the agreement prior to the passage of the legislation, DOF has nullified the action.

2. The acquisition of property for the Courthouse and Riverwalk Subdivision displaced 63 low income households. State law requires the replacement on a unit-for-unit basis. They keep denying projects and taking funds that are needed to meet this obligation. We are requesting that DOF provide a legal opinion that relieves us of the obligation.

RECOMMENDATION

Information only – no action is required.

JET:sb

Attachments

ATTACHMENT "A"

Jim Taubert

From: Vermillion, Todd [Todd.Vermillion@dof.ca.gov]
Sent: Thursday, January 03, 2013 2:49 PM
To: Jim Taubert
Cc: Bob Wilson; Sandi Brown; 'jim.boyajian@madera-county.com'; Chappuie, Beliz
Subject: Initiation of Oversight Board Actions - Madera Successor Agency

Importance: High

Good afternoon,

We are in receipt of your Oversight Board Action(s), as indicated by the following Resolutions:

- OB 12-31: Approval of Conveyance of Property at 103 Grove
- OB 12-30: Approval of Amended Agmt with Krazan for EIR Services for Contamination Remediation at 1350 East Yosemite Avenue
- OB 12-29: Approval of Disposition and Development Agmt for 109/111 So B Street
- OB 12-28: Approval of Sale of Property at 109/111 So B Street
- OB 12-26: Approval of Disposition and Development Agmt for 218 East Yosemite Avenue
- OB 12-25: Approval of Sale of Property at 218 E Yosemite Avenue
- OB 12-22: Approval of Reciprocal Easement Agreement
- OB 12-21: Approval of conveyance of street ROW at SW corner of Clinton/Tozer to City of Madera
- OB 12-20: Approval of Conveyance of Street ROW at NE corner of Clinton/Tozer to City of Madera
- OB 12-19: Approval of 2012/2013 CDBG Agmt
- OB 12-18: Approval of Amended Operation Civic Pride Grant
- OB 12-17 : Approval of Disposition and Development Agreement
- OB 12-16: Approval of Sale of Successor Agency-Owned Property
- OB 12-15: Approval of Amended Agmt with Blair, Church & Flynn
- OB 12-14: Approval of Amended Agmt with Blair, Church & Flynn
- OB 12-13: Approval of Amended Agmt with Northstar Engineering
- OB 12-12: Approval of 2nd Amended Agmt with Quat Knopf
- OB 12-11: Approval of Amended Agreement with Quad Knopf
- OB 12-05: Acknowledgment of the Receipt of Grant Funds and approval of Amended Agreement for the continuation of Remediation of Environmental Contamination at 1350 East Yosemite Avenue

Pursuant to HSC 34179(h) the Department of Finance (Finance) may request a review of Oversight Board actions submitted to the department. This email serves as notice that we are requesting a review of this/these action(s).

Since Finance is statutorily obligated to operate within a 40-day (miscellaneous)/ 60-day (refunding bonds)/ 100-day (asset transfer) review period we may be contacting you to obtain further clarification and/or supporting documentation. We hope to work expeditiously with you to resolve these questions within the specified time frame.

Sincerely,

Todd Vermillion, Analyst
Department of Finance
916-445-1546 x3761

ATTACHMENT "B"

Jim Taubert

From: Vermillion, Todd [Todd.Vermillion@dof.ca.gov]
Sent: Friday, January 11, 2013 3:26 PM
To: Jim Taubert
Cc: Bob Wilson; Lor, Cindie; Chappuie, Beliz
Subject: Request for Supporting Documents to Oversight Board Resolutions

Importance: High

Jim,

As we discussed yesterday, the Department of Finance is reviewing the following resolutions approved by the Madera Successor Agency Oversight Board:

- OB 12-25 Approval of Sale of Property at 218 E Yosemite Ave
- OB 12-26 Approval of DDA for 218 E Yosemite Ave
- OB 12-28 Approval of Sale of Property at 109-111 So B Street
- OB 12-29 Approval of DDA for 109/111 So B Street
- OB 12-30 Approval of Amended Agreement for Contamination Remediation
- OB 12-31 Approval of Conveyance of Property at 103 Grove

Please provide copies of all applicable DDA's, Grant Agreement & Amended Agreement for remediation, and documents related to 103 Grove property conveyance to the City. It would be appreciated if you could e-mail me the documents by Wednesday 1/16.

Please feel free to call or e-mail me with any questions. Thank you for your cooperation.

Sincerely,

Todd Vermillion, Analyst
Department of Finance
916-445-1546 x3761