



OVERSIGHT BOARD TO THE CITY OF WINTERS SUCCESSOR AGENCY TO
THE WINTERS COMMUNITY DEVELOPMENT AGENCY

City Council Chambers
318 First Street
Tuesday, April 9, 2012

2:00 p.m. – Regular Meeting

AGENDA

Members of the Oversight Board

Harold Anderson- City of Winters
Sarah Chapman- Solano College District
Gloria Hahn- Winters Joint Unified School District
Larry Justus- Winters Cemetery District
Nanci Mills- City of Winters CDA Employees
Jilley Romney- Yolo County Public Appointee
Don Saylor- Yolo County

Staff to Oversight Board

John W. Donlevy, Jr., City Manager
Shelly Gunby, Director of Financial Management
Dan Maguire, Housing Programs Manager
Mary Jo Rodolfa, Secretary to Oversight Board

PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Chairman of other Board Members. Public comments time may be limited and speakers will be asked to state their name.

Roll Call

Pledge of Allegiance

Approval of Agenda

BOARD COMMENTS

PUBLIC COMMENTS

At this time, any member of the public may address the Oversight Board on matters, which are not listed on this agenda. Citizens should reserve their comments for matter listed on this agenda at the time the item is considered by

the Board . An exception is made for members of the public for whom it would create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

CONSENT CALENDAR

All matters listed under the consent calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Board support and may be enacted by the Oversight Board in one motion in the form listed below. There will be no separate discussion of these items. However, before the Oversight Board votes on the motion to adopt, members of the Oversight Board, staff, or the public may request that specific items be removed from the Consent Calendar for separate discussion and action. Items(s) removed will be discussed later in the meeting as time permits.

- A. None included at this meeting.

PRESENTATIONS

None at this meeting.

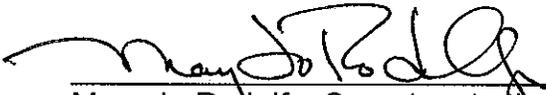
DISCUSSION ITEMS

1. Election of Board Chair and Board Vice Chair
2. Consideration of Resolution OB-2012-01 – A Resolution Designating an Official Who the State of California Department of Finance May Contact.
3. Consideration of Resolution OB-2012-02- A Resolution Providing the Time and Place for Holding the Oversight Board's Regular Meetings.
4. Winters Community Development Agency Orientation- Information Item
5. Consideration of Resolution OB-2012-03- A Resolution Approving a Recognized Obligation Payment Schedule for the City of Winters Successor Agency to the Winters Community Development Agency.
6. Consideration of Resolution OB-2012-04- A Resolution and Adoption of the Successor Agency Administrative Budget.
7. Status Update on AB 1X26 Clean-up Legislation- Information Item

STAFF REPORT

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the April 9, 2012 regular meeting of the Winters Oversight Board was personally delivered to each Board member by electronic mail and by first class mail with the United States Postal Service, and posted on the outside public bulletin board at City Hall, 318 First Street on April 4, 2012, and made available to the public during normal business hours.



Mary Jo Rodolfa, Secretary to the Winters Oversight Board

Questions about this agenda – Please call the City Manager's (530) 795-4910 ext. 111. Agendas and staff reports are available on the city web page www.cityofwinters.org

General Notes: Meeting facilities are accessible to persons with disabilities. To arrange aid or services to modify or accommodate persons with disability to participate in a public meeting, contact the City Clerk.

Staff recommendations are guidelines to the Oversight Board. On any item, the Board may take action, which varies from that recommended by staff.

The city does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.

How to obtain Oversight Board Agendas:

View on the internet: www.cityofwinters.org Any attachments to the agenda that are not available online may be viewed at the City Clerk's Office or locations where the hard copy packet is available.

Email Subscription: You may contact the City Clerk's Office to be placed on the list. An agenda summary is printed in the Winters Express newspaper.

Oversight Board agenda packets are available for review or copying at the following locations:

Winters Library – 708 Railroad Avenue

City Clerk's Office – City Hall – 318 First Street

During Board meetings – Right side as you enter the Council Chambers



**OVERSIGHT BOARD TO THE CITY OF WINTERS SUCCESSOR AGENCY TO THE WINTERS
COMMUNITY DEVELOPMENT AGENCY
STAFF REPORT**

TO: Members of the Oversight Board
DATE: April 9, 2012
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Election of Chair and Vice Chair

RECOMMENDATION:

That the Oversight Board nominate and select from amongst the appointed members, persons to serve as Chair and Vice Chair.

BACKGROUND:

As a Board, there is a necessity that there be a Chairperson and Vice Chairperson. The duties are as follows:

1. Preside over each meeting of the Board pursuant to basic parliamentary procedure as generally prescribed in Roberts Rule of Order.
2. Execute official documents as approved and adopted by the Oversight Board.
3. Represent the Board before the Successor Agency if such is needed.
4. As Vice Chairperson, assume the duties of the Chairperson in their absence.

Staff requests that the Board elect these positions.

FISCAL IMPACT:

None by this action.



**OVERSIGHT BOARD TO THE CITY OF WINTERS SUCCESSOR AGENCY TO THE WINTERS
COMMUNITY DEVELOPMENT AGENCY
STAFF REPORT**

TO: Members of the Oversight Board
DATE: April 9, 2012
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Establishment of Meeting Day, Time and Location

RECOMMENDATION:

That the Oversight Board adopt Resolution No. OB-2012-02A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS, PROVIDING THE TIME AND PLACE FOR HOLDING THE OVERSIGHT BOARD'S REGULAR MEETINGS

BACKGROUND:

As a Board, there is a necessity that you set the meeting days, time and location.

Staff is requesting that the meetings for the Oversight Board be coordinated amongst the members to determine meeting days and times. So members should bring their calendars to the meeting.

A formal request from Staff is that meetings be conducted within the business hours of a day (8-4). The reporting requirements and time constraints posed by the Department of Finance and State Controllers Office mandate that some documents be submitted within short periods following meetings. A business hour meeting will enable a quicker turn around and a maintenance of compliance.

FISCAL IMPACT:

None by this action.

RESOLUTION NO. OB-2012-02

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS, PROVIDING THE TIME AND PLACE FOR HOLDING THE OVERSIGHT BOARD'S REGULAR MEETINGS

WHEREAS, pursuant to Health and Safety Code section 34173(d), the City of Winters ("RDA Successor Agency") is the successor agency to the dissolved Community Development Agency of the City of Winters ("Agency"), confirmed by Resolution No. 2012-02 adopted on January 17, 2012; and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency's oversight board pursuant to Health and Safety Code section 34179(a); and

WHEREAS, pursuant to Health and Safety Code section 34179(e), the Oversight Board is deemed to be a local entity for purposes of the Ralph M. Brown Act (Gov. Code, § 54950 et seq.); and

WHEREAS, pursuant to Government Code section 54954(a), the Oversight Board desires to provide, by resolution, for the conduct of business by the Oversight Board, the time and place for holding regular meetings.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The designation of the time and place for holding the Oversight Board's regular meetings through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. Designation of Meeting Time and Place. Pursuant to Government Code section 54954(a), the Oversight Board hereby provides that the Oversight Board's regular meetings shall be held on the _____ of every month, at _____, and such meetings shall be held at the City of Winters City Hall, Council Chambers, located at 318 1st Street, Winters, California.

Section 4. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 5. Certification. The City Clerk of the City of Winters, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

Section 6. Effective Date. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for three (3) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED AND ADOPTED THIS 9th day of April, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson

ATTEST:

Oversight Board Secretary



OVERSIGHT BOARD FOR THE CITY OF WINTERS AS SUCCESSOR AGENCY TO THE WINTERS COMMUNITY DEVELOPMENT AGENCY

TO: Honorable Chairperson and Members of the Oversight Board of the Successor Agency to the Dissolved Winters Community Development Agency

DATE: April 9, 2012

THROUGH: John W. Donlevy, Jr., City Manager *John*

FROM: Shelly A. Gunby, Director of Financial Management *Shelly*

SUBJECT: Resolution of the Oversight Board of the Successor Agency to the dissolved Winters Community Development Agency, designating an official who the State of California Department of Finance may contact pursuant to Health and Safety Code Section 34179(H)

RECOMMENDATION:

Staff recommends that the Oversight Board, by motion, approve and adopt the attached resolution.

BACKGROUND:

Pursuant to Health and Safety Code Section 34172, the Winters Community Development Agency ("Agency") was dissolved as of February 1, 2012. The City of Winters ("RDA Successor Agency") is the successor agency of the Agency. The Oversight Board is responsible for approving the actions of the RDA Successor Agency pursuant to Health and Safety Code Section 34179.

DISCUSSION:

Health and Safety Code section 34179(h) provides that the State of California Department of Finance ("DOF") may review all oversight board actions. As such, all oversight board actions shall not be effective for three (3) business days, pending a request for review by the DOF. Each oversight board is required to designate an official (Oversight Board Contact) to whom the DOF may make such requests and who shall provide the DOF with the telephone number and e-mail contact information for the purpose of communicating with the DOF. The DOF instructs on its website that the identity and contact information of the Oversight Board Contact shall be emailed to the following email address; redevelopment_hotline@dof.ca.gov.

Staff recommends that the Oversight Board adopt Resolution OB-2012-01, designating Shelly A, Gunby, as the Oversight Board Contact, and direct the Oversight Board Contact to identify

herself to the DOF and provide the DOF with her telephone number and e-mail contact information.

CEQA

The actions taken by enactment of this Resolution do not commit the Oversight Board to any actions that may have a significant effect on the environment. As a result, such actions do not constitute projects subject to the requirements of the California Environmental Quality Act.

FISCAL IMPACT:

No funds are involved with the designation of the Oversight Board Contact.

ATTACHMENTS:

Resolution OB- 2012-01

RESOLUTION NO. OB-2012-01

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS, DESIGNATING AN OFFICIAL WHO THE STATE OF CALIFORNIA DEPARTMENT OF FINANCE MAY CONTACT PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179(h)

WHEREAS, pursuant to Health and Safety Code section 34173(d), the City of Winters (“RDA Successor Agency”) is the successor agency to the dissolved Community Development Agency of the City of Winters (“Agency”), confirmed by Resolution No. 2012-12 adopted on January 17, 2012; and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency’s oversight board pursuant to Health and Safety Code section 34179(a); and

WHEREAS, Health and Safety Code section 34179(h) provides that each oversight board shall designate an official (“Oversight Board Contact”) to whom the State of California Department of Finance (“DOF”) may make requests regarding review of oversight board actions.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The designation of an Oversight Board Contact through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. Designation of Oversight Board Contact. The Oversight Board hereby designates Shelly Gunby, as the Oversight Board Contact pursuant to Health and Safety Code Section 34179(h).

Section 4. Implementation. The Oversight Board Contact is hereby directed to identify himself/herself to the DOF and provide the DOF with the Oversight Board Contact’s telephone number and e-mail contact information pursuant to Health and Safety Code section 34179(h).

Section 5. Severability. If any provision of this Resolution or the application of such provision to any person or circumstance is held invalid, such invalidity shall not affect

provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 6. Certification. The City Clerk of the City of Winters, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

Section 7. Effective Date. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for three (3) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED AND ADOPTED THIS 9th day of April, 2012, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAINED:

Chairperson

ATTEST:

Oversight Board Secretary



**OVERSIGHT BOARD FOR THE CITY OF WINTERS AS SUCCESSOR AGENCY TO THE
WINTERS COMMUNITY DEVELOPMENT AGENCY**

TO: Honorable Chairperson and Members of the Oversight Board of the
Successor Agency to the Dissolved Winters Community Development
Agency

DATE: April 9, 2012

THROUGH: John W. Donlevy, Jr., City Manager *John*

FROM: Shelly A. Gunby, Director of Financial Management *Shelly*

SUBJECT: Resolution of the Oversight Board of the Successor Agency to the dissolved
Winters Community Development Agency, approving a Recognized
Obligation Payment Schedule pursuant to Health and Safety Code Section
34177(l)

Resolution of the Oversight Board of the Successor Agency to the dissolved
Winters Community Development Agency, approving the Successor
Agency's administrative budget pursuant to Health and Safety Code Section
34177(j)

RECOMMENDATION:

Staff recommends that the Oversight Board, by motion, approve and adopt the attached resolution.

BACKGROUND:

Pursuant to Health and Safety Code Section 34172, the Winters Community Development Agency ("Agency") was dissolved as of February 1, 2012. The City of Winters ("RDA Successor Agency") is the successor agency of the Agency. The Oversight Board is responsible for approving the actions of the RDA Successor Agency pursuant to Health and Safety Code Section 34179.

DISCUSSION:

1. Recognized Obligation Payment Schedule

One of the RDA Successor Agency's responsibilities pursuant to Health and Safety Code Section 34177(l) is to prepare a draft Recognized Obligation Payment Schedule (ROPS) by

March 1, 2012, listing all of the outstanding debts and obligations of the former Agency for the period from February 1, 2102 through June 30, 2012, submit the draft ROPS to the County Auditor-Controller for certification as to its accuracy, and submit the draft ROPS to the Oversight Board for approval.

The ROPS was prepared by the RDA Successor Agency and submitted to the Auditor-Controller as of March 1, 2012. The Auditor-Controller directed the RDA Successor Agency to submit the ROPS to the Oversight Board. It now required Oversight Board Approval in order to become effective pursuant to Health and Safety Code Sections 34177(l) and 34180(g). Once it is approved by the Oversight Board and becomes effective, the RDA Successor Agency may receive funds from the Auditor-Controller to pay the dissolved Agency's existing debts and obligations provided in the ROPS. Upon Oversight Board approval, the RDA Successor Agency should, prior to April 15, 2012, provide a copy of _____ the _____ approved ROPS to the Auditor-Controller, the State of California Controller and the DOF, and post the approved ROPS on the RDA Successor Agency's website.

2. Administrative Budget

Pursuant to Health and Safety Code Section 34177(j), the RDA Successor Agency is required to prepare a proposed administrative budget (Budget) and submit it for approval to the Oversight Board. The Budget is required to include all of the following: (1) estimated amounts for RDA Successor Agency administrative costs for the period between February 1, 2012 through June 30, 2012; (2) proposed sources of payment for all administrative costs; (3) proposals for arrangements for administrative and operation services provided by the City of Winters.

Pursuant to Health and Safety Code Section 34179(h), because the DOF may review Oversight Board actions, the Oversight Board's action to approve the Budget is not effective for three business days, pending a request for review by the DOF.

CEQA

The actions taken by enactment of this Resolution do not commit the Oversight Board to any actions that may have a significant effect on the environment. As a result, such actions do not constitute projects subject to the requirements of the California Environmental Quality Act.

FISCAL IMPACT:

No funds are involved with the designation of the Oversight Board Contact.

ATTACHMENTS:

Resolution OB- 2012-03

Resolution OB-2012-04

RESOLUTION NO. OB-2012-04

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS, APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)

WHEREAS, pursuant to Health and Safety Code section 34173(d), the City of Winters ("RDA Successor Agency") is the successor agency to the dissolved Community Development Agency of the City of Winters ("Agency"), confirmed by Resolution No. 2012-02 adopted on January 17, 2012; and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency's oversight board pursuant to Health and Safety Code section 34179(a); and

WHEREAS, Health and Safety Code section 34177(j) requires the RDA Successor Agency to prepare a proposed administrative budget ("Administrative Budget") and submit it to the Oversight Board for the Oversight Board's approval; and

WHEREAS, the RDA Successor Agency has submitted the Administrative Budget to the Oversight Board.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the Administrative Budget through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. Approval of the Administrative Budget. The Oversight Board hereby approves and adopts the Administrative Budget, in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177.

Section 4. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 5. Certification. The City Clerk of the City of Winters, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

Section 6. Effective Date. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for three (3) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED AND ADOPTED this 9th day of April, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Oversight Board Chairperson

ATTEST:

Oversight Board Secretary

EXHIBIT A

SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET

[Attached behind this page]

City of Winters as Successor Agency to the
Winters Community Development Agency
2011-2012 Budget

City Manager Department Allocated Costs	\$	38,261.65
Admin Services Department Allocated Costs		112.27
Financial Management Department Allocated Costs		21,997.23
City Council Department Allocated Costs		44,078.88
Internal Service Fund Costs		9,749.93
Close out Audit 7/1/11-1/31/12		5,000.00
	\$	<u>119,199.96</u>

All Staff is provided by the City of Winters, and costs are allocated to the Successor Agency by the City of Winters on a monthly basis.