



AGENDA

SPECIAL MEETING OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY

**NOVEMBER 3, 2016
5:00 PM**

**Adelanto Governmental Center
11600 Air Expressway, Adelanto**

NOTE: PLEASE TURN **CELL PHONES OFF** OR PLACE THEM **ON VIBRATE** DURING THE OVERSIGHT BOARD MEETING AS A COURTESY TO OTHERS. *Thank you, Administrative Staff*

The Oversight Board packet may be reviewed by the public at the reception counter in City Hall. Any writings or documents pertaining to an open session item, provided to a majority of the Oversight Board Members within 72 hours of a regular meeting, shall be made available for public inspection at the reception counter in City Hall at 11600 Air Expressway, Adelanto, CA 92301, during normal business hours. **Members of the public can view the agenda or download any staff reports in advance by accessing the City website at www.ci.adelanto.ca.us on Thursday the week before the scheduled meeting.**

AMERICANS WITH DISABILITIES ACT: *In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk Department, (760) 246-2300 ext. 3018 no later than 72 hours prior to the meeting. (28 CFR 34.102.104 ADA TITLE II)*

A. CALL TO ORDER – SPECIAL MEETING

M _____ S _____ ACTION _____

TIME IN: _____

ROLL CALL BOARD MEMBERS:

- Cynthia M. Herrera, MMC., City of Adelanto Employee Appointee _____
- Allen Christensen, County Board of Supervisors Public Member Appointee _____
- Ajay Mohindra, County Superintendent of Education Appointee _____
- Mary O’Toole, County Board of Supervisors _____
- VACANT** - County Special District Appointee _____
- Tracey Richardson, Community College District Chancellor Appointee _____
- Chairman** Charley B. Glasper, City of Adelanto Appointee _____

FLAG SALUTE: _____

**SPECIAL MEETING
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B. DELETIONS/ADDITIONS TO AGENDA

1. City Manager to announce if there is any addition/removal of items from the agenda.

C. PUBLIC COMMUNICATION

Members of the public wishing to address the Oversight Board Members are required to fill out a speaker card and hand it to the Clerk of the meeting. This is the time and place for members of the public to comment on any matter within the jurisdiction of the Oversight Board. After receiving recognition from the Chair, the speaker will walk to the podium and state their name for the record. There is a time limit of three (3) minutes when giving your presentation.

Members of the audience may address the Oversight Board on non-agenda items; however, in accordance with Government Code Section 54954.2, the Oversight Board may not take action on an item not appearing on the posted agenda.

D. CONSENT CALENDAR

MOTION APPROVING THE CONSENT CALENDAR AS PRESENTED.

1. Approval of Meeting Minutes: July 14, 2016

M _____ S _____ ACTION _____

**SPECIAL MEETING
OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE FORMER ADELANTO REDEVELOPMENT AGENCY
NOVEMBER 3, 2016**

E. BOARD ACTIONS

1. RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY’S RESOLUTION TERMINATING DISPOSITION AND DEVELOPMENT AGREEMENT PROVISIONS REQUIRING THE ADELANTO REDEVELOPMENT AGENCY’S APPROVAL TO SELL ASSESSOR’S PARCEL NUMBER 3129-261-26.

RECOMMENDED ACTION: Adopt the attached Resolution approving the Successor Agency’s Resolution terminating the provisions imposed by the Disposition and Development Agreement and Memorandum of Disposition and Development Agreement which require the Former Adelanto Redevelopment Agency’s approval to sell parcel number 3129-261-26.

OVERSIGHT BOARD RESOLUTION NO. 16-07

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY’S RESOLUTION NO. 16-03, TERMINATING DISPOSITION AND DEVELOPMENT AGREEMENT PROVISIONS REQUIRING THE ADELANTO REDEVELOPMENT AGENCY’S APPROVAL TO SELL ASSESSOR’S PARCEL NUMBER 3129-261-26

M _____ S _____ ACTION _____

F. BOARD MEMBER AND STAFF COMMENTS

- A. Chair.
- B. Members of the Oversight Board.

G. CALENDARING OF FUTURE AGENDA ITEMS

- 1.

**SPECIAL MEETING
OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
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H. ADJOURNMENT

The next Regular Meeting of the Oversight Board will be held on November 16, 2016 at 4:00 p.m. Unless a Special Meeting is called.

TIME OUT: _____

M _____ S _____ ACTION _____

I. DECLARATION OF POSTING

I, BRENDA LOPEZ, DEPUTY CITY CLERK/SECRETARY FOR THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE ADELANTO REDEVELOPMENT AGENCY HEREBY CERTIFY THAT A TRUE, ACCURATE COPY OF THE FOREGOING AGENDA WAS POSTED ON JULY 12, 2016, 24 (24) HOURS PRIOR TO THE MEETING PER GOVERNMENT CODE 54954.2 IN THE GOVERNMENTAL CENTER'S DISPLAY CASE, 11600 AIR EXPRESSWAY, ADELANTO, CALIFORNIA.

Brenda Lopez

Brenda Lopez, CMC Deputy City Clerk



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

July 14, 2016

A. CALL TO ORDER – SPECIAL MEETING

The Special meeting of the Oversight Board of the Successor Agency to the Former Adelanto Redevelopment Agency meeting was held on Thursday, July 14, 2016, in the Council Chambers of the Governmental Center located at 11600 Air Expressway, Adelanto, California.

Vice-Chair Hardy called the meeting to order at 4:08 p.m.

Deputy City Clerk Lopez called roll.

Present Board Members: Christensen, Mohindra, Vice Chair Hardy and Chairman Gasper

Absent Board Members: Herrera and O’Toole

Vacant Board Member positions: County Special District Appointee

Flag Salute led by Chairman Gasper.

B. DELETIONS/ADDITIONS TO AGENDA

None

C. PUBLIC COMMUNICATIONS

None

D. CONSENT CALENDAR

MOTION APPROVING THE CONSENT CALENDAR AS PRESENTED.

- 1. Approval of Meeting Minutes: March 10, 2016 – Special Meeting
May 16, 2016 – Special Meeting

MOTION: Motion by Chairman Gasper, seconded by Vice Chair Hardy to approve the Consent Calendar as presented.

Motion carried 4-0-2. (Board Member Christensen, Mohindra, Vice-Chair Hardy and Chairman Gasper) (Board Member Herrera and O’Toole absent)

E. BOARD ACTIONS

1. APPROVAL OF OB RESOLUTION NO. 16-05 AND CORRESPONDING ACTIONS RELATING TO THE FURTHERANCE OF RESOLUTION NO. 16-02 OF THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF ADELANTO (THE "SUCCESSOR AGENCY").

RECOMMENDED ACTION: The Oversight Board adopt Resolution No. 16-05.

OB RESOLUTION NO. 16-05

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF ADELANTO APPROVING A RESOLUTION OF THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF ADELANTO AND CERTAIN ACTIONS RELATING THERETO

Financial Advisor Dan Wiles from Fieldman Rolapp and Associates presented the staff report. He explained this is for the refinancing of 4 separate bond issues originally issued by the Redevelopment Agency. The rates were higher when they were issues and now that rates are lower they can refinance. There is a 2007 Bond Project is in Area 3. Bonds that were merged together were 1993-B, 1995-A, and 1995-B. 1995B Bonds are the largest of the 4 series and outstanding at \$12,280,000.00. They are looking to solicit bids to buy all of the bonds in a bulk purchase. 1995B Bonds issues at \$12,280,000 reducing the reserve fund so they can refinance and pay cost of issuance by issuance of \$11,630,000.00. They are looking to have the interest at 3.21%. These are outstanding bonds and there would be savings on all bonds. Refinancing, they would save \$2,300,000. 1993B Bonds were issued under \$7,600,000.00 with an interest rate of 5.5%. With new refinancing, they are issued at \$6,075,000.00 with an interest rate of 3.11%. With this bond, the City will save save \$419,000.00. 1995A Bonds were issued at \$2,505,000.00 with an interest of 4.71%. This would be \$174,000 of savings. The 2007 Bonds are a tax exempt series from project area 3 that was an issuance of \$2,945,000.00 with an interest rate 5.97%. With the refinance there is a savings of \$420,000.

Accounting Supervisor Rose stated the other objective they with this refinancing is they had a number of bond issues throughout the year. With the refinancing they will only have one.

MOTION: Moved by Board Member Christiansen, seconded by Vice Chair Hardy to adopt Resolution No. 16-05.

Motion carried 4-0-2. (Board Member Christensen, Mohindra, Vice-Chair Hardy and Chairman Glasper) (Board Member Herrera and O'Toole absent)

F. BOARD MEMBER AND STAFF COMMENTS

Chairman Glasper is pleased with the outcome of saving money.

G. CALENDARING OF FUTURE AGENDA ITEMS

None

H. ADJOURNMENT

The next Regular Meeting of the Oversight Board will be held on July 20, 2016 at 4:00 p.m. Unless a Special Meeting is called.

With no further business Board Member Hardy adjourned the meeting at 4:27 p.m.

Charley B. Glasper, Chairman

Cindy Herrera, City Clerk, MMC
& Secretary of the Oversight Board

Clerk of the Meeting: Brenda Lopez
Prepared by: Jordyn Thomas, Intern
Reviewed by: Brenda Lopez, Deputy City Clerk



SUCCESSOR AGENCY OVERSIGHT BOARD AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY
| ADELANTO, CALIFORNIA 92301

DATE: November 3, 2016

TO: Successor Agency Oversight Board Chairman and Fellow Board Members

FROM: Curtis R. Wright, *City Attorney*
Rene L. Farjeat, *Deputy City Attorney*

SUBJECT: RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY'S RESOLUTION TERMINATING DISPOSITION AND DEVELOPMENT AGREEMENT PROVISIONS REQUIRING THE ADELANTO REDEVELOPMENT AGENCY'S APPROVAL TO SELL ASSESSOR'S PARCEL NUMBER 3129-261-26

STAFF RECOMMENDATION

Adopt the attached Resolution approving the Successor Agency's Resolution terminating the provisions imposed by the Disposition and Development Agreement and Memorandum of Disposition and Development Agreement which require the Former Adelanto Redevelopment Agency's approval to sell parcel number 3129-261-26.

SUMMARY & BACKGROUND

The City Council of the City of Adelanto ("City") is the governing Board ("Board") of the Successor Agency to the Former Adelanto Redevelopment Agency ("Successor Agency"). The Former Adelanto Redevelopment Agency ("Redevelopment Agency") entered into a Disposition and Development Agreement ("DDA") with William S. Emery and Jane S. Emery, Trustees of the Emery Family Trust, dated October 25, 2004 ("Developer") on November 9, 2005 regarding the parcel of real property known as Assessor's Parcel Number ("APN") 3129-261-26 ("Property"). Pursuant to the DDA, the Redevelopment Agency conveyed the Property to the Developer. The Redevelopment Agency and the Developer also executed a Memorandum of Disposition and Development Agreement ("Memorandum") to provide constrictive notice to all third parties of the DDA. The Memorandum was recorded against the Property on January 31, 2006 as Instrument Number 2006-0068869.

The DDA and Memorandum contain provisions requiring approval of the Redevelopment Agency to sell the Property ("Sell Provisions"). The interests of the Redevelopment Agency have since been transferred to the Successor Agency. The Developer now wishes to terminate the Sell Provisions in order to sell the Property without requiring the approval of the Redevelopment Agency. The Successor Agency adopted Resolution No. 16-03 ("Successor Agency Resolution") on October 26, 2016 to terminate the Sell Provisions. The Oversight Board of the Successor Agency ("Oversight Board") must now approve the Successor Agency Resolution to complete the process terminating the Sell Provisions.

ENVIRONMENTAL IMPACT

The Resolution will not have a significant effect on the environment, and is exempt from the requirements of an environmental impact analysis pursuant to California Environmental Quality Act (“CEQA”) section 15061(b)(3).

FISCAL IMPACT

None.

ATTACHMENT(S)

1. RESOLUTION NO. 16-07 RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY’S RESOLUTION TERMINATING DISPOSITION AND DEVELOPMENT AGREEMENT PROVISIONS REQUIRING THE ADELANTO REDEVELOPMENT AGENCY’S APPROVAL TO SELL ASSESSOR’S PARCEL NUMBER 3129-261-26
2. RESOLUTION NO. 16-03 RESOLUTION OF THE BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY TERMINATING DISPOSITION AND DEVELOPMENT AGREEMENT PROVISIONS REQUIRING THE ADELANTO REDEVELOPMENT AGENCY’S APPROVAL TO SELL ASSESSOR’S PARCEL NUMBER 3129-261-26

OVERSIGHT BOARD RESOLUTION NO. 16-07

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY'S RESOLUTION NO. 16-03, TERMINATING DISPOSITION AND DEVELOPMENT AGREEMENT PROVISIONS REQUIRING THE ADELANTO REDEVELOPMENT AGENCY'S APPROVAL TO SELL ASSESSOR'S PARCEL NUMBER 3129-261-26

WHEREAS, the Oversight Board of the Successor Agency to the Former Adelanto Redevelopment Agency ("Oversight Board") has the power to approve and ratify actions of the Successor Agency to the Former Adelanto Redevelopment Agency ("Successor Agency").

WHEREAS, on October 26, 2016, the Successor Agency adopted Resolution No. 16-03, terminating Disposition and Development Agreement Provisions requiring the Former Adelanto Redevelopment Agency's ("Redevelopment Agency") approval to sell the parcel of real property known as Assessor's Parcel Number ("APN") 3129-261-26 ("Property").

WHEREAS, the Oversight Board now wishes to approve the Successor Agency's Resolution No. 16-07.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY DOES RESOLVE AS FOLLOWS:

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

SECTION 2. The Oversight Board finds and determines that it is in the City's best interests to approve the Successor Agency's Resolution No. 16-07

SECTION 3. The Oversight Board hereby adopts this Resolution, approving the Successor Agency's Resolution No. 16-07, terminating Disposition and Development Agreement Provisions requiring the Redevelopment Agency's approval to sell the Property.

SECTION 4. The Oversight Board determines, based on the entire record, that this does not have the potential to have a physical effect on the environment and that there is no possibility that this action will have a significant effect on the environment. Therefore, pursuant to the California Environmental Quality Act ("CEQA") and its implementing Guidelines (Pub. Resources Code, § 21065; Cal. Code Regs., tit. 14 §§ 15060(c)(2), 15378(a)) this activity is not subject to CEQA.

SECTION 5. The Oversight Board Chairman shall sign this Resolution, and the City Employee Appointee shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED by the Oversight Board of the Successor Agency to the Former Adelanto Redevelopment Agency on this 3rd day of November, 2016.

Charley B. Glasper, *Chairman*

Cindy M. Herrera, MMC,
City Employee Appointee

APPROVED AS TO FORM:

Curtis R. Wright, *City Attorney*

I, Cindy M. Herrera, City Employee Appointee of the Oversight Board of the Successor Agency to the Former Adelanto Redevelopment Agency, do hereby certify that the foregoing Resolution No. 16-__ was duly adopted at a special meeting of the Oversight Board of the Successor Agency to the Former Adelanto Redevelopment Agency held on the 3rd day of November, 2016., by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS THEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 3rd day of November, 2016.

Cindy M. Herrera, MMC,
City Employee Appointee

SEAL

SUCCESSOR AGENCY RESOLUTION NO. 16-03

**A RESOLUTION OF THE BOARD OF THE SUCCESSOR AGENCY TO
THE FORMER ADELANTO REDEVELOPMENT AGENCY
TERMINATING DISPOSITION AND DEVELOPMENT AGREEMENT
PROVISIONS REQUIRING THE ADELANTO REDEVELOPMENT
AGENCY'S APPROVAL TO SELL ASSESSOR'S PARCEL NUMBER
3129-261-26**

WHEREAS, the City Council of the City of Adelanto ("City") is the governing Board ("Board") of the Successor Agency to the Former Adelanto Redevelopment Agency ("Successor Agency").

WHEREAS, the Former Adelanto Redevelopment Agency ("Redevelopment Agency") entered into a Disposition and Development Agreement ("DDA") with William S. Emery and Jane S. Emery, Trustees of the Emery Family Trust, dated October 25, 2004 ("Developer") on November 9, 2005 regarding the parcel of real property known as Assessor's Parcel Number ("APN") 3129-261-26 ("Property").

WHEREAS, pursuant to the DDA, the Redevelopment Agency conveyed the Property to the Developer.

WHEREAS, the Redevelopment Agency and the Developer also executed a Memorandum of Disposition and Development Agreement ("Memorandum") to provide constrictive notice to all third parties of the DDA.

WHEREAS, the Memorandum was recorded against the Property on January 31, 2006 as Instrument Number 2006-0068869.

WHEREAS, the DDA and Memorandum contain provisions requiring approval of the Redevelopment Agency to sell the Property ("Sell Provisions").

WHEREAS, the interests of the Redevelopment Agency have since been transferred to the Successor Agency.

WHEREAS, the Successor Agency and the Developer now wish to terminate the Sell Provisions.

NOW, THEREFORE, THE BOARD OF THE SUCCESSOR AGENCY TO THE FORMER ADELANTO REDEVELOPMENT AGENCY DOES RESOLVE AS FOLLOWS:

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

SECTION 2. The Board finds and determines that it is in the City's and the Developer's best interests to terminate the Sell Provisions imposed by the DDA and Memorandum.

SECTION 3. The Board hereby adopts this Resolution, terminating the Sell Provisions imposed by the DDA and Memorandum which require the Redevelopment Agency's approval to sell the Property.

SECTION 4. The Board determines, based on the entire record, that this does not have the potential to have a physical effect on the environment and that there is no possibility that this action will have a significant effect on the environment. Therefore, pursuant to the California Environmental Quality Act ("CEQA") and its implementing Guidelines (Pub. Resources Code, § 21065; Cal. Code Regs., tit. 14 §§ 15060(c)(2), 15378(a)) this activity is not subject to CEQA.

SECTION 5. The Board Chairman shall sign this Resolution, and the Board Executive Director shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED by the Board of the Successor Agency to the Former Adelanto Redevelopment Agency on this 26th day of October, 2016.


Rich Kerr, *Chairman*
Cindy M. Herrera, MMC,
Executive Director/Secretary

APPROVED AS TO FORM:


Curtis R. Wright, *City Attorney*

I, Cindy M. Herrera, Executive Director/Secretary of the Successor Agency to the Former Adelanto Redevelopment Agency, do hereby certify that the foregoing Resolution No. 16-03 was duly adopted at a regular meeting of the Board of the Successor Agency to the Former Adelanto Redevelopment Agency held on the 26th day of October, 2016, by the following votes:

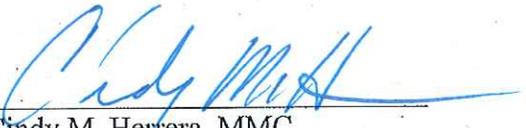
AYES: Director Camargo, Woodard, Vice-Chairman Wright, and Chairman Kerr

NOES: None

ABSENT: Director Glasper

ABSTAIN: None

IN WITNESS THEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 26th day of October, 2016.


Cindy M. Herrera, MMC,
Executive Director/Secretary

SEAL