



**CITY OF SAND CITY SUCCESSOR AGENCY
Oversight Board Meeting
Agenda for February 26, 2013**

**4:30 p.m., Tuesday, February 26, 2013,
City Hall, Council Chambers, 1 Sylvan Park, Sand City, CA 93955**

AGENDA ITEMS:

1. CALL TO ORDER
2. ROLL CALL & ESTABLISHMENT OF QUOROM

John McPherson, Monterey County Office of Education
Jane Parker, Monterey County Board of Supervisors
Jerry Lomax, Monterey County Board of Supervisors (Public Member)
Stephen Ma, Monterey Peninsula College
Linda Scholink, City of Sand City Successor Agency
Steve Matarazzo, City of Sand City Successor Agency
Jayanti Addleman, Monterey County Libraries
3. PLEDGE OF ALLEGIANCE
4. COMMUNICATIONS FROM THE FLOOR: At this time, any person may comment on any item which is not on the agenda. Please state your name and address for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on the next agenda. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of three (3) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the Board.
5. BOARD MEMBER COMMENTS: Board Members may ask a question for clarification; make a brief report or announcement on his/her activities. Board members may provide a referral to Staff or other resources for factual information, or direct Staff to agendize a matter of business on a future agenda. Any item not listed on the Agenda after the posting of the Agenda and that must be acted upon (2/3rds vote required to place on agenda) prior to the next Board meeting may be addressed at this time. (G.C. 54954.2)
6. ACTION/ DISCUSSION ITEMS
 - A. Approval of Oversight Board RESOLUTION Approving the Oversight Board Minutes of February 4, 2013
 - B. Consideration of the Successor Agency Oversight Board RESOLUTION Approving an Administrative Budget for July 2013 through December 2013
 - C. Consideration of Oversight Board RESOLUTION Approving the Recognized Obligations Payment Schedule (ROPS 13-14A) July 2013 through December 2013
 - D. Consideration of Annual Appointment of Board Member Chair and Vice-Chair



**CITY OF SAND CITY SUCCESSOR AGENCY
Oversight Board Meeting Agenda for February 26, 2013**

- E. Consideration of Request from the Sand City Art Committee for use of the Carroll Property, 525 Ortiz Avenue to hold a Mural Competition
7. REQUEST FROM BOARD MEMBERS FOR FUTURE AGENDA ITEMS
8. ADJOURNMENT:

Next Scheduled Oversight Board Meeting:
Monday, March 4, 2013
3:00 P.M.
Sand City Council Chambers
1 Sylvan Park, Sand City

ALL MEETINGS ARE OPEN TO THE PUBLIC. The City of Sand City does not discriminate against persons with disabilities. City Hall and the Council Chambers are accessible facilities. Any person with a disability who requires a modification or accommodation to be able to participate in this meeting is asked to contact the office of the City Clerk at (831) 394-3054 no fewer than two business days prior to the meeting to allow for reasonable arrangements.

SAND CITY SUCCESSOR AGENCY OVERSIGHT BOARD

RESOLUTION OB____, 2013

RESOLUTION OF THE OVERSIGHT BOARD FOR THE SAND CITY SUCCESSOR AGENCY APPROVING THE OVERSIGHT BOARD MEETING MINUTES OF FEBRUARY 4, 2013

WHEREAS, the Oversight Board at its regular meeting of February 26, 2013 reviewed the Oversight Board draft meeting minutes of February 4, 2013; and

WHEREAS, based on its review of said minutes, the Oversight Board finds the draft minutes to be an accurate summary of the major points and actions taken during the meeting of February 4, 2013.

NOW, THEREFORE, THE OVERSIGHT BOARD hereby finds the subject minutes to be adequate and they are hereby approved as the approved meeting minutes of February 4, 2013.

PASSED AND ADOPTED by the Sand City Successor Agency Oversight Board on this 26th day of February, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Stephen Ma, Board Chair

ATTEST:

Connie Horca, Board Secretary



**CITY OF SAND CITY SUCCESSOR AGENCY
Oversight Board Meeting Minutes
February 4, 2013**

The meeting was called to order by Chair Ma at 3:03 P.M.

AGENDA ITEM 2, ROLL CALL & ESTABLISHMENT OF QUOROM

John McPherson, Monterey County Office of Education
Jane Parker, Monterey County Board of Supervisors
Jerry Lomax, Monterey County Board of Supervisors (absent)
Stephen Ma, Monterey Peninsula College
Linda Scholink, City of Sand City Successor Agency
Steve Matarazzo, City of Sand City Successor Agency
Jayanti Addleman, Monterey County Libraries

AGENDA ITEM 3, PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Board Secretary Connie Horca.

AGENDA ITEM 4, COMMUNICATIONS FROM THE FLOOR

3:04 p.m. Floor opened for Public Comment.

There was no comment from the Public.

3:04 p.m. Floor closed to Public Comment.

AGENDA ITEM 5, BOARD MEMBER COMMENTS

Chair Ma requested if the Board had any objection to consider moving the closed session item prior to Agenda Item 6. There was no objection of the Board to move Agenda Item 7, Closed Session prior to Agenda Item 6, Action/Discussion Items.

Successor Agency Counsel Jim Heisinger addressed the Board to request that he speak under Public Comment since Agenda Item 7, Closed Session has been moved forward.

Board Member Parker clarified that the public may comment on the closed session item and present an opinion on that item.

3:05 p.m. Floor opened to Public Comment.

Sand City Successor Agency Counsel Jim Heisinger commented that a letter was received from special counsel Best, Best & Krieger representing the Sand City Successor Agency. Their opinion is that an Oversight Board is not a public entity and cannot sue or be sued. The reasons for meeting in closed session would be limited. If the Board cannot sue or be sued, then it would not be appropriate to meet in closed session, in his opinion.

Board Member Parker asked if the Board's Legal Counsel would like to express his opinion. Oversight Board Judd Jordan commented that he will respond with his opinion under closed session.

AGENDA ITEM 7, CLOSED SESSION

3:07 P.M.

- A. Oversight Board to adjourn to Closed Session in accordance with Government Code Section 54956.9(c) of the Ralph M. Brown Act
CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Deciding whether to Initiate Litigation: Two potential cases

3:24 P.M. *Board Members Matarazzo and Scholink stepped down from the dais and were excused from Closed Session.*

3:56 P.M. *Board Members Matarazzo and Scholink returned to the dais.*

4:01 P.M.

- B. Re-adjourn to Open Session to report any action taken at the conclusion of Closed Session in accordance with 54957.1 of the Ralph M. Brown Act

There was no action to report.

AGENDA ITEM 6, ACTION/DISCUSSION ITEMS

- A. Motion to approve the **Resolution** approving the Oversight Board minutes of December 17, 2012 was made by Board Member Matarazzo, seconded by Board Member McPherson. AYES: Board Members McPherson, Parker, Ma, Scholink, Matarazzo. NOES: None. ABSENT: Board Member Lomax. ABSTAIN: None. Motion carried.

- B. Motion to approve the **Resolution** approving the Oversight Board minutes of January 17, 2013 was made by Board Member Parker, seconded by Board Member Scholink. AYES: Board Members McPherson, Parker, Ma, Scholink, Matarazzo. NOES: None. ABSENT: Board Member Lomax. ABSTAIN: None. Motion carried.

- C. Board Member Matarazzo reported that Article II, Section 1 of the

Oversight Board By-Laws would be amended to include the following language: *The Chairperson and Vice-Chairperson shall be elected for one-year terms, starting in March of each calendar year and until the Oversight Board is consolidated into one, County-wide Board.* Motion to approve the **Resolution** amending the By-Laws and Rules of Procedure of the Sand City Oversight Board was made by Board Member McPherson, seconded by Board Member Parker. AYES: Board Members McPherson, Parker, Ma, Scholink, Matarazzo. NOES: None. ABSENT: Board Member Lomax. ABSTAIN: None. Motion carried.

- D. Board Member Matarazzo reported that the original resolution was not necessarily incorrect; however, it did not include the written public comment received a few minutes prior to the meeting on December 17, 2012. The attached resolution would correct Resolution OB 12-23 and indicate that comments were received on the Due Diligence Review. Motion to approve the **Resolution** to Oversight Board correcting Resolution OB 12-23, 2012 approving the Due Diligence Review (DDR) of Successor Agency Funds other than those related to the Low and Moderate Income Housing Funds (LMIHF) and Account Balances was made by Board Member Scholink, seconded by Board Member McPherson. AYES: Board Members McPherson, Parker, Ma, Scholink, Matarazzo. NOES: None. ABSENT: Board Member Lomax. ABSTAIN: None. Motion carried
- E. Successor Agency Counsel Jim Heisinger commented that this matter was placed on the original EOPS and put on the Recognized Obligations Payment Schedule (ROPS). On ROPS III, a payment was made by the County Auditor-Controller regarding the contingent liability, but the payment did not indicate exactly what items were included in the payment. The City is waiting for a response from the County Auditor-Controller.

Board Member Parker received clarification regarding the tax sharing agreement that was reflected on ROPS I, II, & III. Successor Agency Counsel reported that a contingent liability payment appeared to have been received in the amount indicated on ROPS III. Prior to ROPS III, there had been no payments shown. The original tax sharing agreements indicated that the City would loan money out of its general fund to the Redevelopment Agency until the Agency was able to repay these funds out of its tax increment.

AGENDA ITEM 7, CLOSED SESSION was moved before AGENDA ITEM 6.

AGENDA ITEM 8, REQUEST FROM BOARD MEMBERS FOR FUTURE AGENDA ITEMS

Board Member Matarazzo reported that the Sand City Arts Committee

may request use of the Carroll Property, 525 Ortiz Avenue to hold a mural competition. The Board had previously approved the use of the property for overflow parking for the Farmers Market. Board Member Matarazzo also clarified that ROPS IV is due to the Department of Finance by March 1st. The Board was in consensus to reschedule the next Oversight Board meeting to 2:00 P.M. on Monday, February 25, 2013. Board Member Parker requested that ROPS IV be sent to Board Members for review well in advance of the next meeting. The election of officers will also be placed on the next agenda.

AGENDA ITEM 9, ADJOURNMENT

Motion to adjourn the Oversight Board Meeting was made by Board Member Parker, seconded by Board Member McPherson, to the next scheduled Oversight Board Meeting on Monday, February 25, 2013 at 2:00 P.M. There was unanimous consensus of the Board to adjourn the meeting at 4:19 P.M.

Connie Horca, Board Secretary

**See Staff
Report for
Agenda Item 6C**

**OVERSIGHT BOARD TO THE
SAND CITY SUCCESSOR AGENCY**

RESOLUTION OB _____, 2013

**RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF
THE FORMER REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR
AGENCY ADMINISTRATIVE BUDGET FOR THE ROPS 13-14A TIME FRAME**

WHEREAS, redevelopment dissolution law allows for administrative budgets of \$250,000 annually for smaller Successor Agencies like the Sand City Successor Agency; and

WHEREAS, Sand City Successor Agencies staff has prepared an administrative budget of \$184,670. 65 for the ROPS 13-14A time frame of July, 2013 through December 2013, as required by law and subject to the final approval of the Oversight Board; and

WHEREAS, the Sand City Successor Agency approved an administrative budget at its meeting of February 20, 2013 and has forwarded said budget for final review and approval of the Oversight Board.

NOW, THEREFORE BE IT RESOLVED that the Oversight Board to the Sand City Successor Agency hereby approves the administrative budget for the ROPS 13-14A time frame, as shown on Exhibit A, attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the Oversight Board to the Sand City Successor Agency on this 26th day of February, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Connie Horca, Board Secretary

Stephen Ma, Board Chair

EXHIBIT A

SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY
OF THE CITY OF SAND CITY
ADMINISTRATIVE BUDGET
July 1, 2013 through December 31, 2013

EMPLOYEE COSTS:	
Salaries ***	\$51,599.47
Deferred Compensation	\$450.00
PERS Retirement	\$17,937.00
Health	\$7,274.63
Dental	\$835.25
Vision	\$135.00
LTD	\$502.70
Life	\$182.10
Workers Comp	\$52.50
Fitness	\$162.00
Auto	\$540.00
SUBTOTAL	<u>\$79,670.65</u>
SUPPLIES & SERVICES:	
Audit Services	\$3,750.00
Legal	\$33,000.00
Outside Legal Services	\$60,000.00
Consultant Services	\$1,000.00
Office Supplies	\$500.00
Training	\$500.00
Financial Advisor	\$1,000.00
Appraisals	\$3,000.00
Bond Expenses	\$1,750.00
SUBTOTAL	<u>\$104,500.00</u>
ALLOCATED COSTS:	
Computer Services	\$500.00
SUBTOTAL	<u>\$500.00</u>
TOTAL	<u>\$184,670.65</u>


*** Salaries Percentages

Admin 15%
Finance 15%
Attorney 15%
Planning 15%

**CITY OF SAND CITY SUCCESSOR AGENCY
OVERSIGHT BOARD**

DATE: February 20, 2013 (for Oversight Board meeting of February 26,2013)

TO: Oversight Board Members

FROM: Steve Matarazzo, Staff 

SUBJECT: Consideration of Administrative Budget and Recognized Obligation Payments Schedule (ROPS 13-14 A) for July, 2013 through December, 2013

BACKGROUND

The proposed Administrative Budget and Related Recognized Obligation Payments Schedule (ROPS) for July, 2013 through December, 2013 are attached for the Board's consideration. (See Attachment 1.). The Department of Finance (DOF) has now renamed the ROPS serial numbers to coincide with the two halves (A and B) of the fiscal years in which they are approved. Therefore, for the first half of fiscal year 2013-14, the related ROPS will be entitled ROPS 13-14A. (The second half fiscal year ROPS will then be entitled ROPS 13-14B.) ROPS 13-14A must be received by DOF no later than Friday, March 1, 2013.

The total payment requested for enforceable obligations, contingent liabilities and the administrative allowance for ROPS 13-14A is \$560,134. The proposed administrative budget for ROPS 13-14B, estimates that staff time will be limited to approximately 15% of the time of staff positions involved the redevelopment dissolution process. (See Attachment 2.) This percentage is projected to be less than the 20 percent of staff time expended during the last ROPS period , July - December 2012. Should there not be a settlement regarding the Seaside lawsuit, the estimated attorney's time will be greater than projected and significant cost will also accrue from outside counsel. The proposed administrative budget is projected to be \$184,671. For ROPS 13-14B (January through July, 2014), this will leave a maximum amount of \$ 65,329. Projected administrative expenses may prove to be less than the amount shown if the Seaside lawsuit is settled. Those "savings" could be reflected in a reduction of administrative expenses for ROPS 13-14B.

ROPS 13-14A also includes partial bond payments for half-year based on the preceding ROPS amounts approved by the Oversight Board and DOF and a contingent liability payment of \$200,000 pending resolution of the Seaside lawsuit. According to DOF, pass-through payments are not allowed to be shown on the ROPS anymore, and any back payments owed, according to the County Auditor will have to be settled between the Successor Agency and the local educational agency (LEA) requesting same. (The Auditor has been requested to provide current pass-through amounts going to the LEAs as soon as possible Staff will distribute those figures to Oversight Board members soon as we receive them. Sand City staff is also scheduled to meet with LEA representatives and the Dolinka Group on February 28th to discuss back payment issues.)

RECOMMENDATION

Following Board member discussion and deliberation, it is **RECOMMENDED** that the Oversight Board adopt the attached resolution approving the administrative budget for the ROPS 13-14A period and also approving ROPS 13-14A. (The administrative budget has also been separated from this agenda item should the Board prefer to deal with each issue separately, i.e., the administrative budget first and then the entire ROPS.)

ATTACHMENTS:

1. ROPS 13-14A (Exhibit B in the Resolution of Approval)
2. Administrative Budget (Exhibit A in the Resolution of Approval)
3. Resolution of Approval

Oversight Board Approval Date:

SAND CITY (MONTEREY)
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A)
 July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2013-14	Funding Source					Six-Month Total
									Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	
							\$22,323,280	\$1,548,194	\$0	\$0	\$184,671	\$375,463	\$0	\$560,134
1	2008A Exempt Tax Allocation Bonds	1/18/2008	7/19/2005	US Bank	Finance and Refinance RDA Activities	Sand City	8,726,710	476,000	0	0	0	128,350	0	128,350
2	2008B Tax Allocation Bonds	1/18/2008	7/15/2005	US Bank	Finance Redevelopment Activities	Sand City	2,410,746	222,194	0	0	0	47,113	0	47,113
3	Sand City	2/1/2012		City acting as Successor Agency	Administrative Cost Allowance	Sand City	0	250,000	0	0	184,671		0	184,671
4	Sand City	8/13/2012		City acting as Successor Agency	Oversight Board Counsel	Sand City	0	0	0	0	0	0	0	0
5	City of Sand City	4/1/1995		City of Sand City	COP Reimbursement	Sand City	1,454,766	0	0	0	0	0	0	0
6	SERAF Payment	5/10/2010	6/30/2015	County Auditor 34177 (d)	Repay loan from LMIHF	Sand City	0	0	0	0	0	0	0	0
7	SERAF Payment	5/4/2011	6/30/2016	County Auditor 34177 (d)	Repay loan from LMIHF	Sand City	0	0	0	0	0	0	0	0
8	RDA LMIHF	6/30/2010		County Auditor 34177 (d)	Trueup payment to Housing Account from FY 09-10	Sand City	0	0	0	0	0	0	0	0
9	RDA LMIHF	6/30/2011		County Auditor 34177 (d)	Trueup payment to Housing Account from FY 10-11	Sand City	0	0	0	0	0	0	0	0
10	McDonald Coastal Project	6/20/2001		John King - DDA	Contingency Reimbursement	Sand City	1,455,000	0	0	0	0	0	0	0
11	Tax Sharing Agreement	5/18/1989	1/31/2012	City of Seaside	1989 tax sharing agreement contingent	Sand City	0	400,000	0	0	0	200,000	0	200,000
12	Sand City Redevelopment Project	1/20/1987	1/31/2012	City of Sand City	Repay loans for Staff and Facilities ***	Sand City	3,626,058	200,000	0	0	0	0	0	0
13	Sand City Redevelopment Project	1/20/1987	1/31/2012	City of Sand City	Repay for Monetary Loans (Seaside) ***	Sand City	4,650,000	0	0	0	0	0	0	0
14	Pass Through Payment			MPUSD	Pass Through Payment	Sand City	0	0	0	0	0	0	0	0
15	Pass Through Payment			MPCCD	Pass Through Payment	Sand City	0	0	0	0	0	0	0	0
16	Pass Through Payment			MCOE	Pass Through Payment	Sand City	0	0	0	0	0	0	0	0
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SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

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

EXHIBIT B

Name of Successor Agency: **SAND CITY (MONTEREY)**

Outstanding Debt or Obligation

Total Outstanding Debt or Obligation

\$22,323,280

Total

Current Period Outstanding Debt or Obligation

Six-Month Total

A	Available Revenues Other Than Anticipated RPTTF Funding	\$0
B	Enforceable Obligations Funded with RPTTF	\$375,463
C	Administrative Allowance Funded with RPTTF	\$184,671
D	Total RPTTF Funded (B + C = D)	\$560,134
E	Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$560,134
F	Enter Total Six-Month Anticipated RPTTF Funding	\$300,000
G	Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	(\$260,134)

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>)	\$738,533
I	Enter Actual Obligations Paid with RPTTF	\$613,533
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)	\$560,134

Certification of Oversight Board Chairman:

Pursuant to Section 34177(m) of the Health and Safety code,

Name _____

Title _____

I hereby certify that the above is a true and accurate Recognized

Obligation Payment Schedule for the above named agency.

/s/

Signature _____

Date _____

Exhibit A


**SUCCESSOR AGENCY
OF THE REDEVELOPMENT AGENCY
OF THE CITY OF SAND CITY
ADMINISTRATIVE BUDGET
July 1, 2013 through December 31, 2013**

EMPLOYEE COSTS:	
Salaries ***	\$51,599.47
Deferred Compensation	\$450.00
PERS Retirement	\$17,937.00
Health	\$7,274.63
Dental	\$835.25
Vision	\$135.00
LTD	\$502.70
Life	\$182.10
Workers Comp	\$52.50
Fitness	\$162.00
Auto	\$540.00
SUBTOTAL	\$79,670.65
SUPPLIES & SERVICES:	
Audit Services	\$3,750.00
Legal	\$33,000.00
Outside Legal Services	\$60,000.00
Consultant Services	\$1,000.00
Office Supplies	\$500.00
Training	\$500.00
Financial Advisor	\$1,000.00
Appraisals	\$3,000.00
Bond Expenses	\$1,750.00
SUBTOTAL	\$104,500.00
ALLOCATED COSTS:	
Computer Services	\$500.00
SUBTOTAL	\$500.00
<u>TOTAL</u>	<u>\$184,670.65</u>

*** Salaries Percentages

Admin 15%
Finance 15%
Attorney 15%
Planning 15%

**CITY OF SAND CITY SUCCESSOR AGENCY
OVERSIGHT BOARD**

DATE: February 19, 2013 (for Oversight Board Meeting of February 26, 2013)
TO: Oversight Board Members
FROM: Steve Matarazzo, Staff 
SUBJECT: Nomination and Approval of New Chair and Vice Chair

A resolution of approval is attached, designating the new Chair and Vice Chair to assume office starting on March 1, 2013. Nominations can be made by any member of the Oversight Board and a simple majority vote will be the basis for approval of the new officers to the Board.

RECOMMENDATION

Adoption of the attached resolution is recommended, following the vote for each office. The Secretary to your board will “fill in the blanks”, following the voting process.

SAND CITY SUCCESSOR AGENCY OVERSIGHT BOARD

RESOLUTION OB _____, 2013

RESOLUTION OF THE OVERSIGHT BOARD FOR THE SAND CITY SUCCESSOR AGENCY APPROVING THE NOMINATION OF CHAIR AND VICE CHAIR OF THE OVERSIGHT BOARD, WHOSE TERMS WILL BEGIN IN MARCH, 2013

WHEREAS, the Sand City Oversight Board bylaws provide that one year terms are to be provided for the offices of Chair and Vice-Chair, to begin during the start of March of each year; and

WHEREAS, the current Chair and Vice-Chair of the Oversight Board have served the Oversight Board well during their terms of office; and

WHEREAS, it is the appropriate time to nominate a new Chair and Vice-Chair of the Oversight Board as prescribed in the bylaws.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board hereby nominates and approves Oversight Board member _____, as the new Chair of the Oversight Board, commencing on March 1, 2013; and further that the Oversight Board nominates and approves Oversight Board member _____, as the new Vice-Chair of the Oversight Board, commencing on March 1, 2013.

PASSED AND APPROVED by the Sand City Successor Agency Oversight Board on this 26th day of February, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Stephen Ma, Board Chair


ATTEST:

Connie Horca, Board Secretary

**CITY OF SAND CITY SUCCESSOR AGENCY
OVERSIGHT BOARD**

DATE: February 20, 2013 (for Oversight Board meeting of February 26, 2013)

TO: Oversight Board Members

FROM: Steve Matarazzo, Staff 

SUBJECT: Consideration to Allow the Temporary Use of Successor Agency Property Known as "the Carroll Property", 525 Ortiz Avenue, for a Public Mural Competition Sponsored by the Sand City Arts Committee

BACKGROUND

Todd Kruper, a city council member and member of the Sand City Arts Committee, will make a presentation to the Board, requesting temporary use of the subject property for a mural competition. The mural competition will be sponsored by the Arts Committee and will be held in July, 2013, provided that a sizable number of muralists respond to a call for artists. Should that not occur, the event will be cancelled. The Successor Agency has approved using the interior space of the concrete block perimeter walls of the property as the individual "canvasses" for the event. (See attached photos.)

The Carroll property will be a part of the long term property management plan (LTPMP) required by the redevelopment dissolution law, Assembly Bill 1484 (AB 1484). AB 1484 requires that a LTPMP be developed by the Successor Agency and submitted to the Oversight Board within six months following receipt of a "finding of completion" by the Department of Finance. (The finding of completion notifies the Successor Agency that all assets have either been disposed of or retained appropriately in accordance with the two due diligence reviews (DDRs) required by law - the low to moderate income housing fund DDR and the all other assets DDR.) The finding of completion should be received by the Successor Agency no later than April 15, 2013. This would allow the successor agency to submit the LTPMP to the Oversight Board and Department of Finance by October 15, 2013. The LTPMP will either recommend the sale of the property or its retention for its original purpose - to provide additional parking for the neighborhood. There is at least one nearby property owner who is interested in purchasing the property. The property has been appraised at between \$750,000 to \$915,000, depending upon whether the property is sold as one unit or sold in smaller parcels.

Given the property disposition schedule allowed by law, the mural competition should not hinder the potential sale of the property. The mural competition would, however, result in the establishment of murals on the inside concrete block walls that encompass the property (see attached photos). Therefore, it would be reasonable to require that the murals be removed (most likely through sand-blasting) as a condition precedent to sale. This additional cost would be borne by the Successor Agency.

RECOMMENDATION

It is therefore **RECOMMENDED** that the attached resolution be adopted, approving the temporary use of the Carroll Property for the public mural competition to be completed no later than July 31, 2013.

ATTACHMENT: Draft Resolution of Approval

**OVERSIGHT BOARD TO THE
SAND CITY SUCCESSOR AGENCY**

RESOLUTION OB _____, 2013

**RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE
FORMER REDEVELOPMENT AGENCY APPROVING THE TEMPORARY
USE OF THE CARROLL PROPERTY, LOCATED AT 525 ORTIZ AVENUE
FOR A PROPOSED MURAL COMPETITION**

WHEREAS, the Sand City Arts Committee has requested that a public mural competition take place on property known as “the Carroll property”, 525 Ortiz Avenue and said property will be part of the long term property management plan (LTPMP) required by redevelopment dissolution law; and

WHEREAS, the proposed public mural competition at the Carroll property will be completed no later than August 1, 2013 and the LTPMP is not due to be considered by the Oversight Board until some time in October, 2013; and, therefore, the competition will not hinder the appropriate disposition of said property; and

WHEREAS, the proposed mural competition will be a public cultural event furthering the social and artistic network of the Monterey Peninsula and is therefore considered to provide a public benefit.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board to the Sand City Successor Agency hereby approves the temporary use of the Carroll Property for the public mural competition, subject to the following conditions:

1. The competition and related event shall end no later than August 1, 2013; and
2. Should any potential future purchaser of the property claim that the property has been de-valued due to the existence of the public murals, the murals shall be removed at the expense of the Successor Agency.

PASSED AND ADOPTED by the Oversight Board to the Sand City Successor Agency on this 26th day of February, 2013 by the following vote:

AYES:

NOES:

ABSENT:

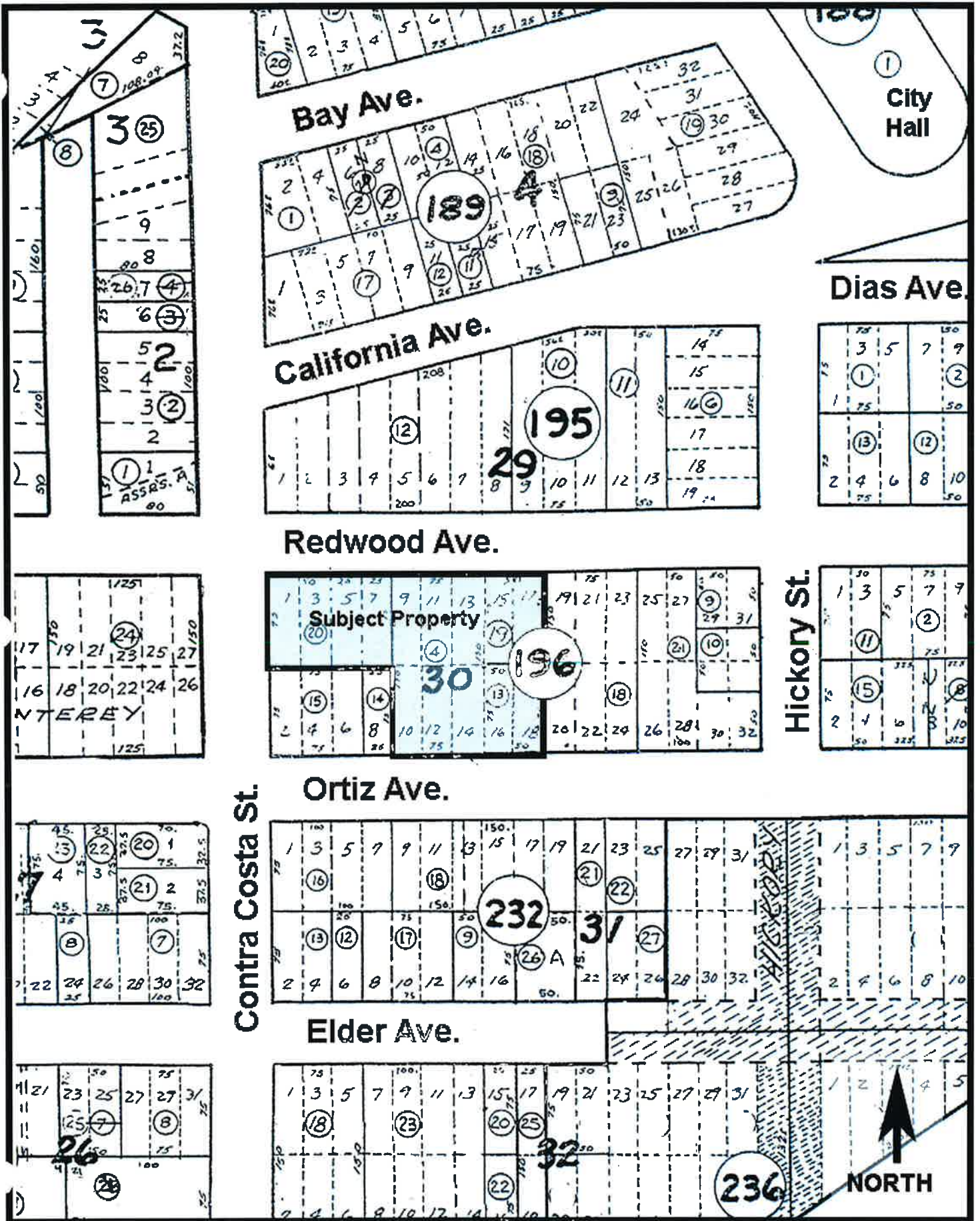
ABSTAIN:

ATTEST:

APPROVED:

Connie Horca, Board Secretary

Stephen Ma, Board Chair

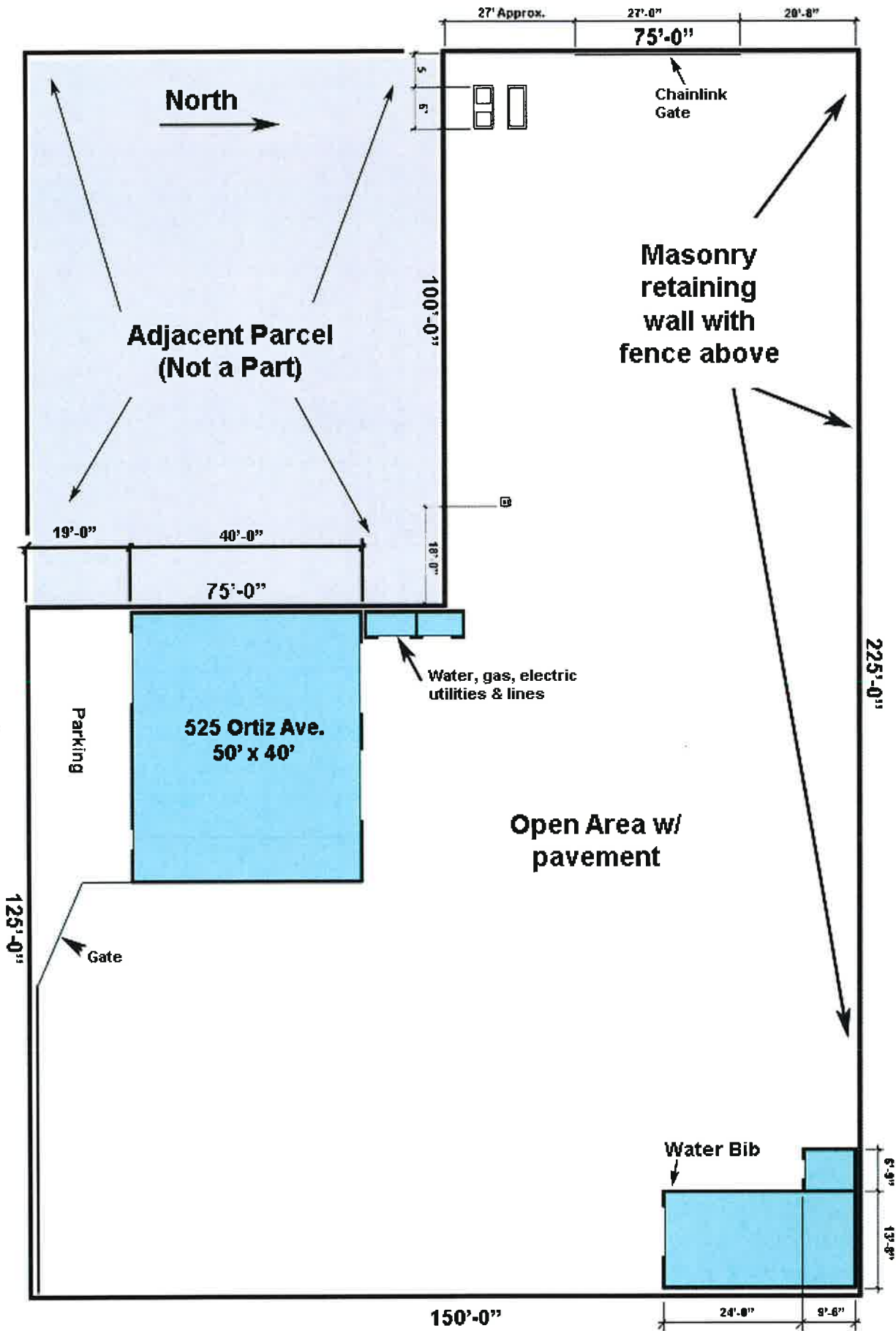


Vicinity Map

CONTRA COSTA ST.

ORTIZ AVENUE

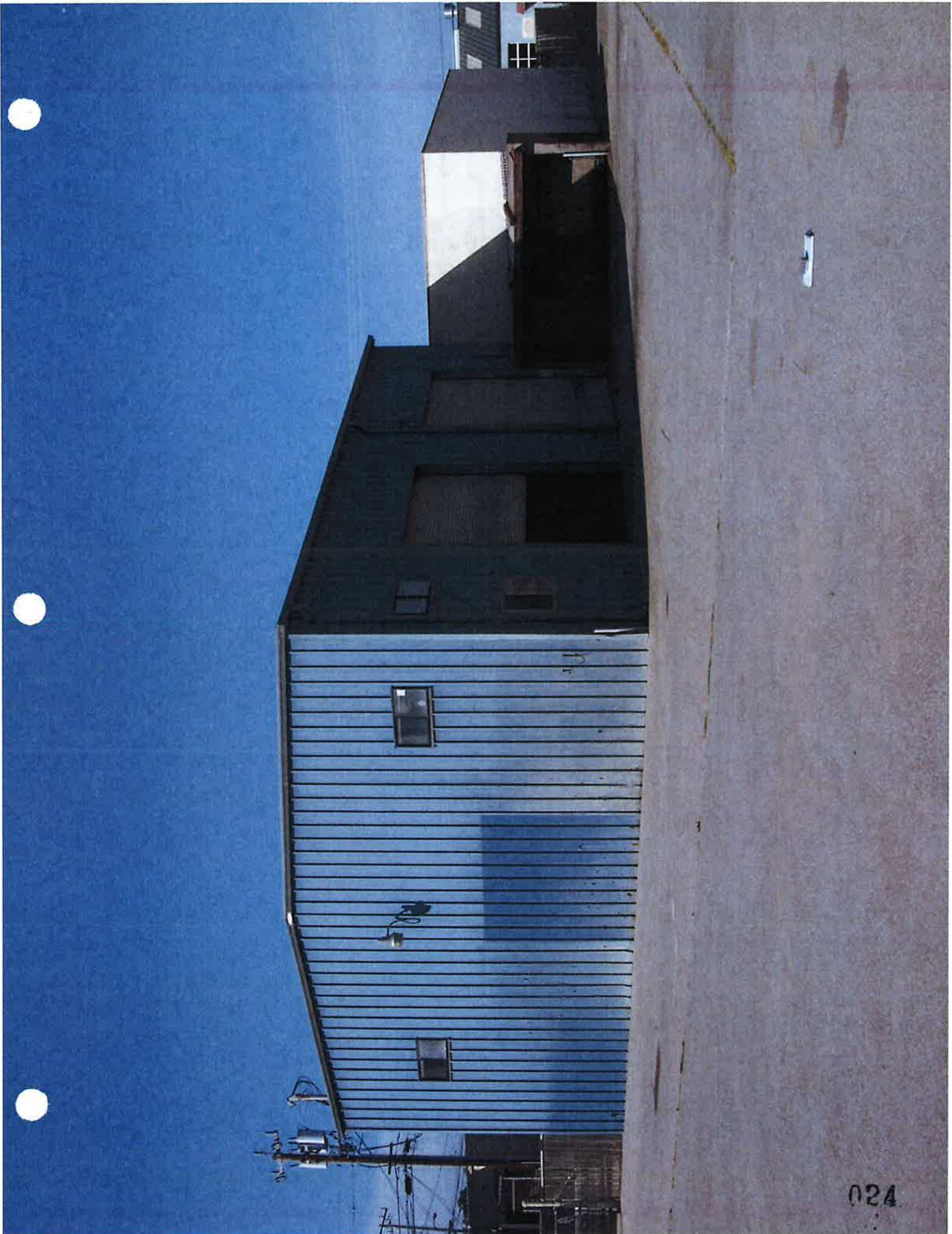
REDWOOD AVE.



SITE PLAN



023



024





026



SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

EXHIBIT B

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

Name of Successor Agency: **SAND CITY (MONTEREY)**

Outstanding Debt or Obligation	Total
Total Outstanding Debt or Obligation	\$22,323,280

Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$0
B Enforceable Obligations Funded with RPTTF	\$375,463
C Administrative Allowance Funded with RPTTF	\$184,671
D Total RPTTF Funded (B + C = D)	\$560,134
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$560,134
F Enter Total Six-Month Anticipated RPTTF Funding	\$300,000
G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	(\$260,134)

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 (lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)	\$307,731
I Enter Actual Obligations Paid with RPTTF	\$182,731
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)	\$560,134

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. /s/ _____

Signature

Date

2/26/13 OB meeting Hendrick

ART PARK MURAL PROJECT

2013= ART and INDUSTRY

An art competition for the Carol
Property in Sand City, Cal.

2/26/13 015 meeting Handout

GOALS

- Create more public art in Sand City.
- To mitigate blight in Sand City.
- Create a project for the Art Committee.
- Lead up to the West End Celebration.
- Help support the notion that there is a artist community in Sand City.

WELCOME TO THE WEST END



These are lonely walls



Each block is 11 feet tall and 7 feet wide.



Very little prep is needed!



CHALLENGES

- Over-site Board permission.
- Wall preparations. Power/water.
- Artist participation.
- Committee commitment.

**At each end there is a space for sign
work about the completion.**



Budget

- Public Relation \$1500.00
- Prizes \$800.00*
- Porta Potties \$500.00
- Judges \$1000.00
- Reception \$200.00

A NEW HOPE FOR THE ART PARK



WE CAN DO THIS!

