



City of Rohnert Park ♦ 130 Avram Avenue ♦ Rohnert Park, California 94928  
PHONE: (707) 588-2227 ♦ FAX: (707) 792-1876 ♦ WEB: [www.rpcity.org](http://www.rpcity.org)

---

**OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY  
CITY OF ROHNERT PARK  
(Successor Agency of the Former Community Development Commission of the  
City of Rohnert Park)**

**MEETING AGENDA  
Monday, May 7, 2012, 2:00 p.m.**

**MEETING LOCATION: CITY HALL - COUNCIL CHAMBER  
130 Avram Avenue, Rohnert Park, California**

The Oversight Board welcomes your attendance, interest and participation at its regular meetings. Oversight Board agendas and minutes may be viewed at the City of Rohnert Park website at: [www.rpcity.org](http://www.rpcity.org).

**PUBLIC HEARINGS**

The Oversight Board may discuss and/or take action on any or all of the items listed on this agenda. If you challenge decisions of the Oversight Board or the Successor Agency City of Rohnert Park in court, you may be limited to raising only those issues you or someone else raised at public hearing(s) described in this agenda, or in written correspondence delivered to the Successor Agency City of Rohnert Park, at, or prior to the public hearing(s).

**PUBLIC COMMENTS**

For public comment on items listed or not listed on the agenda, or on agenda items if unable to speak at the scheduled time (limited to three minutes per appearance and a 30 minute total time limit, or allocation of time based on number of speaker cards submitted)

**PLEASE FILL OUT A SPEAKER CARD PRIOR TO SPEAKING  
\*SEE NOTE AT THE END OF THIS AGENDA**

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection Thursday before each regularly scheduled Board meeting at City Hall, located at 130 Avram Avenue. Any writings or documents subject to disclosure that are provided to all, or a majority of all, of the members of the Board regarding any item on this agenda after the agenda has been distributed will also be made available for inspection at City Hall during regular business hours.

**ANNOUNCEMENT:** Please turn off all pagers, cellular telephones and all other communication devices upon entering the Rohnert Park Council Chamber. Use of these devices causes electrical interference with the sound recording and TV broadcast systems.

2:00 PM

1. **CALL TO ORDER / ROLL CALL** (Zane\_\_ Mackenzie\_\_ Babonis\_\_ Calvert\_\_ Jenkins\_\_ Jolley \_\_ Thompson\_\_)

2. **PUBLIC COMMENTS**

Persons wishing to address the Board on any Consent Calendar item or on Successor Agency City of Rohnert Park business not listed on the Agenda may do so at this time. Each speaker will be allotted three minutes. Those wishing to address the Oversight Board on any report item listed on the Agenda should submit a "Speaker Card" to the Clerk of the Board before announcement of that agenda item.

3. **APPROVAL OF MINUTES**

**Recommended Board Action:** Approve minutes of regular meeting of Oversight Board for Successor Agency City of Rohnert Park held on April 11, 2012

4. **REGULAR AGENDA**

A. Consideration of Bylaws

**Recommended Board Action:** Discuss and provide direction to staff regarding Bylaws

B. Authorization to file of Statement of Organization

**Recommended Board Action:** Consider and adopt Resolution No. OSB 2012-03 Authorizing the Clerk of the Board to File a Statement of Organization with the Secretary of State and the County Clerk of Sonoma County

C. Designation of Eydie Tacata as Clerk of the Board

**Recommended Board Action:** Consider and adopt Resolution No. OSB 2012-04 to designate Eydie Tacata as Clerk of the Board

D. Approving the Recognized Obligation Payment Schedules (ROPS) of the Successor Agency City of Rohnert Park for the Period July 1 - December 31, 2012

**Recommended Board Action:** Consider and adopt Resolution No. OSB 2012-05 Approving Recognized Obligation Payment Schedule (ROPS) of the Successor Agency City of Rohnert Park for the Period July 1 - December 31, 2012

E. Discussion about Oversight Board Legal Counsel

**Recommended Board Action:** Discuss and provide direction to staff to return with a draft legal services agreement with Betsy Strauss for the Board's consideration at a future meeting.

- F. Discussion about Disposition of Triangular Property adjacent to Oxford Suites Development, Parcel 045-081-007

**Recommended Board Action:** Discuss and direct staff to negotiate a sale of Parcel 045-081-007 to the developers of the Northern Wilfred-Dowdell Specific Plan

5. **NEW MATTERS FOR FUTURE CONSIDERATION**

6. **CITY MANAGER'S REPORT**

- A. Housing Technician Job Description

7. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Members of the public may address the Oversight Board on matters that are within the Oversight Board's jurisdiction and not on today's calendar. Each speaker shall have up to three minutes to make pertinent public comments unless the Oversight Board adopts a shorter period. It is strongly recommended that members of the public who wish to address the Oversight Board should fill out a "Speaker Card" provided by the Clerk, and submit the completed card to the Clerk.

8. **ADJOURNMENT**

**DISABLED ACCOMMODATION**

If you have a disability which requires an interpreter or other person to assist you while attending this Board meeting, please contact the Secretary at (707) 588-2205 at least 72 hours prior to the meeting to ensure arrangements for accommodation by the City. Please notify the Clerk's Office as soon as possible if you have a visual impairment requiring meeting materials to be produced in another format (Braille, audio-tape, etc.)



**DRAFT MINUTES OF THE REGULAR MEETING  
OVERSIGHT BOARD  
TO THE SUCCESSOR AGENCY CITY OF ROHNERT PARK**

**Wednesday, April 11, 2012  
Rohnert Park City Hall, Council Chambers  
130 Avram Avenue, Rohnert Park, California**

**1. CALL TO ORDER**

The first regular meeting of the Oversight Board to the Successor Agency City of Rohnert Park was called to order at 2:00 p.m. on April 11, 2012 in the Council Chambers, Rohnert Park City Hall, Rohnert Park, California.

Mayor Jake Mackenzie, City of Rohnert Park, presided over the meeting until such time the Oversight Board elected a Chair and Vice Chair under Agenda Item No. 3C.

Present: Board Members Linda Babonis, Darrin Jenkins, Kate Jolley, Jake Mackenzie, Mike Thompson, Shirlee Zane

Absent: Board Member Denise Calvert

Staff present: City Manager Gabriel Gonzalez; Management Analyst Eydie Tacata; Assistant City Attorney Rafael Mandelman; Director of Public Works & Community Services John McArthur

**2. PUBLIC COMMENTS**

None

**3. REGULAR AGENDA**

**A. Introductions and Administration of Oaths of Office**

Acting Board Clerk Tacata administered the Oath of Office to the Board Members.

**B. Adoption of Roberts Rules of Order as the Oversight Board's Governing Rules of Order**

Board Member Mackenzie announced the item.

**ACTION:** Moved by Board Member Babonis, seconded and unanimously carried (6-0 vote, 1 absent) to adopt Robert's Rules of Order as the Board's rules of parliamentary procedure.

**C. Election of Oversight Board Chair and Vice-Chair**

Acting Board Clerk Tacata opened nominations for the election of Chair of the Oversight Board. Board Member Mackenzie nominated Board Member Zane. There were no further nominations. Nominations were closed by unanimous consent.

**ACTION:** Board Member Shirlee Zane elected as Chair by unanimous vote (6-0 vote, 1 absent) taken by roll call.

Board Member Babonis: AYE  
Board Member Jenkins: AYE  
Board Member Jolley: AYE  
Board Member Mackenzie: AYE  
Board Member Thompson: AYE  
Board Member Zane: AYE

Chair Zane opened nominations for the election of Vice Chair of the Oversight Board. Board Member Thompson nominated Board Member Mackenzie. There were no further nominations. Nominations were closed by unanimous consent.

**ACTION:** Board Member Jake Mackenzie elected as Vice Chair by unanimous vote (6-0 vote, 1 absent).

**D. Adoption of Conflict of Interest Code**

Chair Zane announced the item.

**ACTION:** Moved by Board Member Mackenzie, seconded and unanimously carried (6-0 vote, 1 absent) to adopt Resolution No. OSB 2012-01: A Resolution of the Oversight Board for the Successor Agency City of Rohnert Park Adopting a Conflict of Interest Code

**E. Designation of Gabriel A. Gonzalez as the City official to whom the California Department of Finance shall make requests to review Oversight Board decisions**

Chair Zane announced the item.

**ACTION:** Moved by Board Member Jenkins, seconded and unanimously carried (6-0 vote, 1 absent) to designate Gabriel A. Gonzalez, City Manager for the City of Rohnert Park, as the official who shall serve as the contact person for the Department of Finance inquiries regarding Oversight Board actions.

**F. Approving the Recognized Obligation Payment Schedules (ROPS) of the Successor Agency City of Rohnert Park for the Periods January 1– June 30, 2012**

Chair Zane announced the item. City Manager Gonzalez gave the staff report, explaining each obligation listed on the ROPS.

**ACTION:** Moved by Board Member Jenkins to adopt Resolution No. OSB 2012-02: A Resolution of the Oversight Board for the Successor Agency City of Rohnert Park Approving Recognized Obligation Payment Schedule (ROPS) of the Successor Agency City of Rohnert Park for the Period January 1– June 30, 2012 with minor corrections as discussed by the Board. Seconded as amended and unanimously carried (6-0 vote, 1 absent).

**G. Discussion of Regular Meeting Schedule**

Chair Zane announced the item. City Manager Gonzalez reported that the Recognized Obligation Payment Schedule (ROPS) of the Successor Agency City of Rohnert Park for the

Period July 1– December 31, 2012 must be considered and approved by the Oversight Board and sent to the Department of Finance by May 11, 2012.

**ACTION:** The next meeting of the Oversight Board was determined to be on May 7, 2012 at 2:00 PM at Rohnert Park City Hall, Rohnert Park, California, by unanimous consent.

#### 4. NEW MATTERS FOR FUTURE CONSIDERATION

Vice Chair Mackenzie requested that consideration be given for the next Oversight Board meeting to use the audio system in the Chambers, seating be configured differently in the Chambers for the Board and staff, or to use a different room.

Chair Zane requested staff to bring to future meetings more detail about the obligations listed on the ROPS, particular in regard to available funding.

Chair Zane requested that a future agenda include an item to consider options for legal counsel for the Oversight Board. Board Members discussed the matter and directed staff to obtain more than one resume of potential legal counsel for the Oversight Board.

City Manager Gonzalez reported on a potential matter for the Oversight Board’s future consideration of two triangular-shaped properties west of Highway 101, located along Redwood Drive and on either side of Golf Course Drive West, which are related to the proposed Oxford Suites Hotel and McDonald’s Restaurant project.

#### 5. PUBLIC COMMENT ON NON-AGENDA ITEMS

None.

#### 6. ADJOURNMENT

**ACTION:** Moved by Vice Chair Mackenzie, seconded and unanimously carried (6-0 vote, 1 absent) to adjourn the meeting at 3:10 p.m.

Respectfully submitted,

---

Eydie Tacata, Interim Clerk of the Board  
Successor Agency City of Rohnert Park



Mission Statement

*“We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow.”*

**CITY OF ROHNERT PARK  
OVERSIGHT BOARD AGENDA**

Meeting Date: May 7, 2012  
Submitted By: Gabriel A. Gonzalez, City Manager  
Prepared By: Eydie Tacata, Management Analyst  
Agenda Title: **Consideration of Bylaws**

---

**RECOMMENDED ACTION:**

Consider draft Bylaws for the Oversight Board for the Successor Agency City of Rohnert Park and provide direction to staff.

**BACKGROUND:**

Pursuant to State legislation ABx1 26, the “Dissolution Act,” the Rohnert Park Community Development Commission (CDC) was dissolved effective February 1, 2012. The City of Rohnert Park has elected to serve as the Successor Agency to the former CDC. All non-housing assets and obligations of the CDC -- the former redevelopment agency -- were transferred by operation of law to the Successor Agency City of Rohnert Park, now responsible for paying off the former CDC’s existing debts, disposing of its properties and assets, returning revenues to the local government entities that receive property taxes, and winding up the former CDC’s affairs.

The duties of the City, acting as the Successor Agency, are legally separate and independent of the duties of the City, acting as a general law city. Under ABx1 26, the liability of the Successor Agency, in implementing its duties under ABx1 26, is limited to the total sum of the property taxes and the value of assets transferred to it as the successor agency for the Redevelopment Agency. Therefore, it is important to establish a separate operating framework to distinguish between actions of the Successor Agency and actions of the City.

The proposed Bylaws establish this separate framework by formally naming the Successor Agency as “Successor Agency City of Rohnert Park” and designating the Oversight Board as the Governing Board of the Successor Agency. The Bylaws provide the general operating framework of the Oversight Board, including, but not limited to, descriptions of the Board members’ roles and responsibilities; rules for the conduct of meetings and the designation of officers; time, frequency and location of meetings; and other organizational matters.

**FISCAL IMPACT/FUNDING SOURCE:**

There are no budgetary impacts associated with the adoption of the Bylaws.

---

**City Manager Approval Date: 5/2/12**

**City Attorney Approval Date: 5/2/12**

**Attachments:** Draft Bylaws for the Oversight Board for the Successor Agency City of Rohnert Park

**BYLAWS**  
**OVERSIGHT BOARD**  
**FOR THE**  
**SUCCESSOR AGENCY CITY OF ROHNERT PARK**  
**(Successor Agency of the Former Community Development**  
**Commission of the City of Rohnert Park)**

**ARTICLE I - THE OVERSIGHT BOARD**

**Section 1.**     **Name of Oversight Board**

The name of the Oversight Board shall be the “Oversight Board for the Successor Agency City of Rohnert Park” (hereinafter referred to as the “Board”).

**Section 2.**     **Purpose**

The Board shall perform the duties described in Chapter 4 (commencing with Section 34179) of Part 1.85 of Division 24 of the Health and Safety Code in connection with the winding down of the affairs of the former Community Development Commission of the City of Rohnert Park (hereinafter the “Commission”) by the City of Rohnert Park in its capacity as the successor agency of the former Commission (hereinafter the “Successor Agency”).

a.     **Duties and Responsibilities**

The duties and responsibilities of the Board are to direct the Successor Agency to do all of the following:

- (1) Dispose of all assets and properties of the former Commission that were funded by tax increment revenues expeditiously and in a manner aimed at maximizing value; provided, however, that the Board may instead direct the Successor Agency to transfer ownership of those assets that were constructed and used for a governmental purpose to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset, with any compensation for the asset governed by the agreements relating to the construction or use of that asset;
- (2) Cease performance in connection with and terminate all existing agreements that do not qualify as enforceable obligations, as that term is defined in subdivision (d) of Section 34171 of the Health and Safety Code;
- (3) Transfer housing responsibilities and all rights, powers, duties and obligations related thereto to the entity designated by the City of Rohnert Park pursuant to Section 34176 of the Health and Safety Code;

- (4) Terminate any agreement between the former Commission and any public entity located in the County of Sonoma that obligates the former Commission to provide funding for any debt service obligations of the public entity or for the construction or operation of facilities owned or operated by such public entity, in any instance where the Board finds that early termination would be in the best interests of the taxing entities; and
- (5) Determine whether any contracts, agreements or other arrangements between the former Commission and any private parties should be terminated or renegotiated to reduce liabilities and increase net revenues to the taxing entities, and present proposed termination or amendment agreements to the Board for consideration and approval; the Board may approve any amendments to or early termination of such agreements where it finds that amendments or early termination would be in the best interests of the taxing entities.

b. Approvals Required

Board: The following actions of the Successor Agency shall first be approved by the

- (1) The establishment of new repayment terms for outstanding loans where the terms have not been specified prior to February 1, 2012;
- (2) Refunding of outstanding bonds or other debt of the former Commission by the Successor Agency in order to provide for savings or to finance debt service spikes; provided, however, that no additional debt is created and debt service is not accelerated;
- (3) Setting aside of amounts in reserves as required by indentures, trust indentures, or similar documents governing the issuance of outstanding bonds of the former Commission;
- (4) Merging of project areas of the former Commission;
- (5) Continuing the acceptance of federal or state grants, or other forms of financial assistance from either public or private sources, where assistance is conditioned upon the provision of matching funds by the Successor Agency, as successor to the former Commission, in an amount greater than five percent (5%);
- (6) Agreements between the City of Rohnert Park and other taxing entities permitting the City of Rohnert Park to retain properties of the former Commission in exchange for compensation as determined by subdivision (f) of Section 34180 of the Health and Safety Code;

- (7) Establishment of the recognized obligation payment schedule pursuant to Section 34177 of the Health and Safety Code;
- (8) A request by the Successor Agency to enter into an agreement with the City of Rohnert Park; and
- (9) A request by the Successor Agency or a taxing entity to pledge, or to enter into an agreement for the pledge of, property tax revenues pursuant to subdivision (b) of Section 34178 of the Health and Safety Code.

c. Review by State Department of Finance

The State Department of Finance (hereinafter “DOF”) may review any action of the Board. The Board shall designate an official to be the point of contact between the Board and DOF, and shall provide his/her telephone and email contact information to DOF. Actions taken by the Board shall not be effective for three (3) business days, pending a request for review by DOF. In the event that DOF requests review of an action taken by the Board, DOF shall have ten (10) days from the date of its request to approve the action or return it to the Board for reconsideration, with suggested modifications. In the event that DOF returns the action to the Board for reconsideration, the Board shall consider the modified action, and resubmit the modified action to DOF for approval; the modified action shall not become effective until approved by DOF.

**Section 3. Membership/Duration**

a. Total Membership/Appointment

The total membership of the Board shall be seven (7), selected as follows:

- (1) One member shall be appointed by the Board of Supervisors of the County of Sonoma;
- (2) One member shall be appointed by the Mayor of the City of Rohnert Park;
- (3) One member shall be appointed by the largest, by property tax share, special district (as defined in Revenue and Taxation Code Section 95) with territory in the territorial jurisdiction of the former Commission;
- (4) One member, to represent schools, shall be appointed by the elected County of Sonoma Superintendent of Education or, if the County Superintendent is appointed, then this member shall be appointed by the County of Sonoma Board of Education;

- (5) One member shall be appointed by the Chancellor of the California Community Colleges to represent community college districts in the County of Sonoma;
- (6) One member shall be a member of the public appointed by the Board of Supervisors of the County of Sonoma; and
- (7) One member, to represent the employees of the former Commission, shall be appointed by the Mayor of the City of Rohnert Park from the recognized employee organization representing the largest number of former Commission employees employed by the Successor Agency at the time of appointment.

The Governor may appoint individuals to fill any member position identified herein that has not been filled by May 15, 2012. Following its initial formation, the Board shall report the names of its officers and other members to DOF.

The members shall serve without compensation and without reimbursement for expenses. Each member shall serve at the pleasure of the entity that appointed such member.

b. Duration

The Board shall be and remain established until the sooner of (1) the date that all indebtedness of the former Commission has been repaid, or (2) July 1, 2016, at which time the Board shall be dissolved and replaced by a single oversight board for all successor agencies within the County of Sonoma.

**Section 4. Local Entity**

Pursuant to subdivision (e) of Section 34179 of the Health and Safety Code, the Board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974.

**Section 5. Personal Immunity**

Board members shall have personal immunity from suit for their actions taken within the scope of their responsibilities as members of the Board.

**Section 6. Fiduciary Responsibilities**

Board members shall have fiduciary responsibilities to holders of enforceable obligations, as that term is defined in subdivision (d) of Section 34171 of the Health and Safety Code, and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of the Health and Safety Code.

**Section 7. Resignation**

Any Board member may resign at any time by giving written notice to the Chair, who shall forward such notice to the Successor Agency and to DOF. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

**Section 8. Filling of Vacancies**

In the event of a vacancy on the Board, the appointing entity for the vacant seat shall select a member to fill such vacancy as soon as reasonably practicable, provided, however, that the Governor may appoint individuals to fill any member position that remains vacant for more than sixty (60) days.

**Section 9. Staff**

The Board may direct the staff of the Successor Agency to perform work in furtherance of the duties and responsibilities of the Board including, without limitation, designating a clerk to perform clerical duties in support of the Board (“Clerk”). Such duties shall include preparing agendas and minutes and keeping a record of the meetings of the Board in a journal of proceedings, posting notices of meetings, attesting to documents, and such other duties as directed by the Board. The Successor Agency shall pay for all of the costs of the meetings of the Board and may include those costs in the administrative budget of the Successor Agency.

**ARTICLE II - OFFICERS**

**Section 1. Officers**

The officers of the Board shall consist of a Chair and a Vice Chair, who shall be elected in the manner set forth in this Article II.

**Section 2. Chair**

The Chair shall preside at all meetings of the Board, and shall submit such agenda, recommendations and information at such meetings as are reasonable and proper for the conduct of the business affairs and policies of the Board. The Chair shall sign all documents necessary to carry out the business of the Board.

**Section 3. Vice Chair**

The Vice Chair shall perform the duties of the Chair in the absence or incapacity of the Chair. In the event of the death, resignation or removal of the Chair, the Vice Chair shall assume the Chair’s duties until such time as the Board shall elect a new Chair.

**Section 4. Additional Duties**

The officers of the Board shall perform such other duties and functions as may from time to time be required by the Board, these Bylaws, or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

**Section 5. Election**

The Chair and Vice Chair shall be elected from among the members of the Board at the first regular meeting of the Board. Thereafter, the Chair and Vice Chair shall be elected from among the members of the Board at each annual meeting. Each officer shall hold office until the next annual meeting of the Board following his/her election and until his/her successor is elected and in office. Any such officer shall not be prohibited from succeeding himself or herself, but no person shall be elected as an officer for more than two consecutive terms.

**Section 7. Vacancies**

Should the office of the Chair or Vice Chair become vacant, the Board shall elect a successor from among the Board members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

**ARTICLE III - MEETINGS**

**Section 1. Annual Meetings**

Annual meetings shall be held on the [date/day (e.g., fourth Thursday)] in [\_\_\_\_\_] of each year at the hour of \_\_\_\_\_ p.m., at \_\_\_\_\_, Rohnert Park, California, provided, however, that should said date be a legal holiday, then any such annual meeting shall be held on the next business day thereafter ensuing which is not a legal holiday. At annual meetings, the Chair and Vice Chair shall be elected; reports of the affairs of the Board shall be considered; and any other business may be transacted which is within the purposes of the Board. Notice of an annual meeting shall be provided in accordance with Section 6 below.

**Section 2. Regular Meetings**

The Board shall meet regularly on the [date/day (e.g., second and fourth Thursday)] of each month, at the hour of \_\_\_\_\_ p.m., at \_\_\_\_\_, Rohnert Park, California. In the event that the regular meeting date shall be a legal holiday, then any such regular meeting shall be held on the next business day thereafter ensuing that is not a legal holiday. A notice, agenda and other necessary documents shall be delivered to the members, personally or by mail, at least seventy-two (72) hours prior to the meeting.

**Section 3. Special Meetings**

Special meetings may be held upon call of the Chair, or an affirmative vote by a majority of the members of the Board present at a regular or special meeting of the Board at which a quorum is present, for the purpose of transacting any business designated in the call, after notification of all members of the Board by written notice personally delivered or by mail at least twenty-four (24) hours before the time specified notice for a special meeting. At such special meeting, no business other than that designated in the call shall be considered.

**Section 4. Adjourned Meetings**

Any meeting of the Board may be adjourned to an adjourned meeting without the need for notice requirements of a special meeting, provided the adjournment indicates the date, time and place of the adjourned meeting. Board members absent from the meeting at which the adjournment decision is made shall be notified by the Chair of the adjourned meeting.

**Section 5. All Meetings to be Open and Public**

All meetings of the Board shall be open and public to the extent required by law. All persons shall be permitted to attend any such meetings, except as otherwise provided by law.

**Section 6. Posting Agendas/Notices**

The Clerk of the Board, or his/her authorized representative, shall post an agenda for each regular Board meeting or a notice for each special Board meeting containing a brief description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting. Agendas/notices shall be posted at Rohnert Park City Hall, 130 Avram Avenue, Rohnert Park, California (a location readily accessible to the public) at least seventy-two (72) hours in advance of each regular meeting and at least twenty-four (24) hours in advance of each special meeting.

All notices required by law for proposed actions by the Board shall also be posted on the Successor Agency's internet web site or the Board's internet web site, if one exists.

**Section 7. Right of Public to Appear and Speak**

At every regular meeting, members of the public shall have an opportunity to address the Board on matters within the Board subject matter jurisdiction. Public input and comment on matters on the agenda, as well as public input and comment on matters not otherwise on the agenda, shall be made during the time set aside for public comment; provided, however, that the Board may direct that public input and comment on matters on the agenda be heard when the matter regularly comes up on the agenda.

The Chair may limit the total amount of time allocated for public discussion on particular issues and/or the time allocated for each individual speaker.

**Section 8. Non-Agenda Items**

Matters brought before the Board at a regular meeting which were not placed on the agenda of the meeting shall not be acted upon by the Board at that meeting unless action on such matters is permissible pursuant to the Ralph M. Brown Act (Gov. Code §54950 et seq.). Those non-agenda items brought before the Board which the Board determines will require Board consideration and action and where Board action at that meeting is not so authorized shall be placed on the agenda for the next regular meeting.

**Section 9. Quorum**

The powers of the Board shall be vested in the members thereof in office from time to time. A majority of the total membership of the Board shall constitute a quorum for the purpose of conducting the business of the Board, exercising its powers and for all other purposes, but less than that number may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the total membership of the Board shall be required for approval of any questions brought before the Board.

**Section 10. Order of Business**

All business and matters before the Board shall be transacted in conformance with Rosenberg's Rules of Order, Revised.

**Section 11. Minutes**

Minutes of the meetings of the Board shall be prepared in writing by the Clerk of the Board. Copies of the minutes of each Board meeting shall be made available to each member of the Board and the Successor Agency. Approved minutes shall be filed in the official book of minutes of the Board.

**ARTICLE IV - REPRESENTATION BEFORE PUBLIC BODIES**

Any official representations on behalf of the Board before the Successor Agency, the Sonoma County Auditor-Controller, the State Controller, DOF, or any other public body shall be made by the Chair or the Chair's designee.

**ARTICLE V - AMENDMENTS**

These Bylaws may be amended upon an affirmative vote by a majority of the total membership of the Board, but no such amendment shall be adopted unless at least seven (7) days written notice thereof has previously been given to all members of the Board. Notice of the amendment shall identify the section or sections of these Bylaws proposed to be amended. The Successor Agency shall be notified of any amendments to these Bylaws.



Mission Statement

*“We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow.”*

**CITY OF ROHNERT PARK  
OVERSIGHT BOARD AGENDA**

Meeting Date: May 7, 2012  
Submitted By: Gabriel A. Gonzalez, City Manager  
Prepared By: Eydie Tacata, Management Analyst  
Agenda Title: **Authorization to File of Statement of Organization**

---

**RECOMMENDED ACTION:**

Consider and adopt Resolution No. OSB 2012-03: Authorizing the Clerk of the Board to File a Statement of Organization with the Secretary of State and the County Clerk of Sonoma County.

**BACKGROUND:**

Pursuant to State legislation ABx1 26, the “Dissolution Act,” the Rohnert Park Community Development Commission (CDC) was dissolved on February 1, 2012. The City elected to become the Successor Agency to the CDC -- the former redevelopment agency – and is responsible for paying off the former redevelopment agency’s existing debts, disposing of its properties and assets to help pay off debts, returning revenues to the local government entities that receive property taxes, and winding down the former redevelopment agency’s affairs.

Health and Safety Section 34179 provides for establishment of an Oversight Board to oversee the closeout of the former redevelopment agency. Government Code Section 53051 requires the filing of a statement of organization with the Secretary of State and the county clerk of the county within which a governmental entity is located within 70 days of organization of such entity. Because the Oversight Board for the Successor Agency City of Rohnert Park has organized itself pursuant to Chapter 4 (commencing with Section 34179) of Part 1.85 of Division 24 of the Health and Safety Code, staff is recommending that the Oversight Board adopt Resolution No. OSB 2012-03 authorizing the Clerk of the Board to file a statement of organization with the Secretary of State and the Sonoma County Clerk.

A Statement of Organization attached to Resolution No. OSB 2012-03 will be prepared in order to comply with Government Code Section 53051.

**FISCAL IMPACT/FUNDING SOURCE:**

There are no budgetary impacts associated with the filing of the Statement of Organization.

---

**City Manager Approval Date: 5/2/12**

**City Attorney Approval Date: 5/2/12**

**Attachments:** Resolution No. OSB 2012-03, Exhibit A to Resolution No. OSB 2012-03

**RESOLUTION NO. OSB 2012-03**

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF ROHNERT PARK AUTHORIZING THE CLERK OF THE BOARD TO FILE A STATEMENT OF ORGANIZATION WITH THE SECRETARY OF STATE AND THE COUNTY CLERK OF SONOMA COUNTY**

**WHEREAS**, Government Code Section 53051 requires the filing of a statement of organization with the Secretary of State and the county clerk of the county within which a governmental entity is located within seventy (70) days of organization of such entity; and

**WHEREAS**, the Oversight Board for the Successor Agency City of Rohnert Park organized itself pursuant to Chapter 4 (commencing with Section 34179) of Part 1.85 of Division 24 of the Health and Safety Code (the "Board").

**NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF ROHNERT PARK DOES HEREBY RESOLVE** that the Clerk of the Oversight Board for the Successor Agency City of Rohnert Park is hereby authorized and directed to file information concerning said Board with the Secretary of State and the County Clerk of Sonoma County, as set forth in the "Statement of Facts," attached hereto and incorporated herein as Exhibit A.

**DULY AND REGULARLY ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF ROHNERT PARK**

\_\_\_\_\_  
Shirlee Zane, Chair

**ATTEST:**

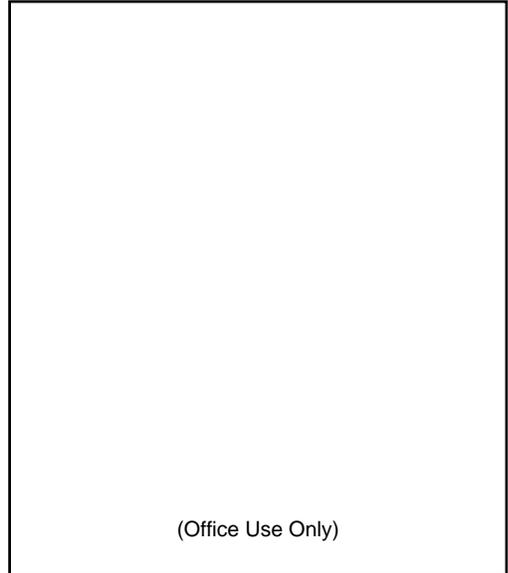
\_\_\_\_\_  
Eydie Tacata, Interim Clerk of the Board



# State of California Secretary of State

## STATEMENT OF FACTS ROSTER OF PUBLIC AGENCIES FILING

(Government Code section 53051)



(Office Use Only)

Instructions:

1. Complete and mail to: Secretary of State,  
P.O. Box 942877, Sacramento, CA 94277-0001 (916) 653-3984
2. A street address must be given as the official mailing address or as the address of the presiding officer.
3. Complete addresses as required.
4. If you need additional space, attach information on an 8½" X 11" page, one sided and legible.

New Filing  Update

Legal name of Public Agency: \_\_\_\_\_

Nature of Update: \_\_\_\_\_

County: \_\_\_\_\_

Official Mailing Address: \_\_\_\_\_

Name and Address of each member of the governing board:

**Chairman, President or other Presiding Officer** (Indicate Title): \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

**Secretary or Clerk** (Indicate Title): \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

**Members:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

RETURN ACKNOWLEDGMENT TO: (Type or Print)

NAME [ \_\_\_\_\_ ]

ADDRESS [ \_\_\_\_\_ ]

CITY/STATE/ZIP [ \_\_\_\_\_ ]

\_\_\_\_\_ Date

\_\_\_\_\_ Signature

\_\_\_\_\_ Typed Name and Title



*Mission Statement*

*“We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow.”*

**CITY OF ROHNERT PARK  
OVERSIGHT BOARD AGENDA**

Meeting Date: May 7, 2012  
Submitted By: Gabriel A. Gonzalez, City Manager  
Prepared By: Eydie Tacata, Management Analyst  
Agenda Title: **Designation of Eydie Tacata as the Clerk of the Board**

---

**RECOMMENDED ACTION:**

Consider and adopt Resolution No. OSB 2012-04: Designating Eydie Tacata to Serve as the Clerk of the Board.

**BACKGROUND:**

California Health and Safety Code Section 34179 provides that the Oversight Board may direct staff of the City of Rohnert Park as Successor Agency to perform work in furtherance of the Board’s duties and responsibilities pursuant to State legislation ABx1 26, the “Dissolution Act.”

Staff recommends that the Board designate Eydie Tacata, Management Analyst, to serve as Clerk of the Board for purposes of performing clerical duties in support of the Board, such as preparing agendas and minutes and keeping a record of the meetings of the Board in a journal of proceedings, posting notices of meetings, attesting to documents, and such other duties as directed by the Board.

**OPTIONS:**

- (1) The Board may direct staff to return with other recommendations of City staff who are able to perform the duties of the Clerk of the Board.

---

**City Manager Approval Date: 5/2/12**

**City Attorney Approval Date: 5/2/12**

**Attachments:** Resolution No. OSB 2012-04 Designating Eydie Tacata to Serve as the Clerk of the Board

**RESOLUTION NO. OSB 2012-04**

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY  
CITY OF ROHNERT PARK DESIGNATING EYDIE TACATA  
TO SERVE AS CLERK OF THE BOARD**

**WHEREAS**, the Oversight Board for the Successor Agency City of Rohnert Park organized itself pursuant to Chapter 4 (commencing with Section 34179) of Part 1.85 of Division 24 of the Health and Safety Code (the “Board”); and

**WHEREAS**, pursuant to Section 34179(c) of the Health and Safety Code, the Board may direct staff of the City of Rohnert Park, as successor agency to the former Community Development Commission of the City of Rohnert Park, to perform work in furtherance of the Board’s duties and responsibilities; and

**WHEREAS**, in furtherance of the Board’s duties and responsibilities, the Board wishes to designate a City staff person to serve as Clerk of the Board for purposes of performing clerical duties in support of the Board, such as preparing agendas and minutes and keeping a record of the meetings of the Board in a journal of proceedings, posting notices of meetings, attesting to documents, and such other duties as directed by the Board;

**NOW THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF ROHNERT PARK DOES HEREBY RESOLVE** that City of Rohnert Park staff person, Eydie Tacata, is designated as the Clerk of the Board and shall remain the Clerk of the Board until such time as the Board determines otherwise.

**DULY AND REGULARLY ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**OVERSIGHT BOARD FOR THE SUCCESSOR  
AGENCY CITY OF ROHNERT PARK**

\_\_\_\_\_  
Shirlee Zane, Chair

**ATTEST:**

\_\_\_\_\_  
Eydie Tacata, Interim Clerk of the Board



Mission Statement

*“We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow.”*

**CITY OF ROHNERT PARK  
OVERSIGHT BOARD AGENDA**

Meeting Date: May 7, 2012  
Submitted By: Gabriel A. Gonzalez, City Manager  
Prepared By: Gabriel A. Gonzalez, City Manager  
Agenda Title: **Approving the Recognized Obligation Payment Schedule (ROPS) of the Successor Agency City of Rohnert Park for the Period of July 1 – December 31, 2012**

---

**RECOMMENDED ACTION:**

Consider and adopt Resolution No. OSB 2012-05: Approving the Recognized Obligation Payment Schedules of the Successor Agency City of Rohnert Park for the Period July 1– December 31, 2012.

**BACKGROUND:**

The City of Rohnert Park serves as the Successor Agency to the former Rohnert Park Community Development Commission, dissolved on February 1, 2012 per the Redevelopment Dissolution Act, AB 1x26. The Dissolution Act charges the Board with “fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax.”

The Recognized Obligation Payment Schedule (ROPS) delineates “enforceable obligations.” The Successor Agency is responsible for drafting a ROPS which sets forth the nature, amount, and source(s) of payment of all "enforceable obligations" (as defined by law) of the former redevelopment agency to be paid by the Successor Agency, covering the forward-looking six month fiscal period, except for the initial draft of the ROPS, which is to cover the period from January 1, 2012, through June 30, 2012.

The ROPS for the period July 1 through December 31, 2012. Staff has already submitted this ROPS to the Sonoma County Auditor-Controller for audit and certification. The Department of Finance has advised that where county auditor-controllers are unable to certify draft ROPS in sufficient time for oversight boards to review and approve them for submittal to DOF, the State Controller and the county auditor-controllers within the applicable deadlines, successor agencies should, within the applicable timelines, submit the *uncertified* ROPS to their oversight boards for review and approval and submittal to DOF, State Controller and county auditor-controllers. This uncertified ROPS is required to be submitted to these agencies for review by May 11, 2012.

The attached ROPS is presented for the Oversight Board’s consideration. At the Oversight Board meeting, staff will provide a description of the obligations listed on the ROPS, and considerations for the Oversight Board within its role and responsibilities given by the Dissolution Act. As requested at the Board meeting of April 11, 2012, a table of Project Activity Status is given to provide more detailed information on projects including total expenses, amount remaining, and project status. This provided for information and is not part of the ROPS for consideration of approval and submission to the DOF, State Controller and county auditor-controller.

---

**City Manager Approval Date: 5/2/12**

**City Attorney Approval Date: 5/2/12**

**Attachments:**

- (1) Resolution No. OSB 2012-05: Approving the Recognized Obligation Payment Schedule of the Successor Agency City Of Rohnert Park For The Period July 1 – December 31, 2012
- (2) Second Draft Recognized Obligation Payment Schedule
- (3) “Project Activity Status” with information as requested by the Board at the April 11, 2012 meeting

**RESOLUTION NO. OSB 2012-05**

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY  
CITY OF ROHNERT PARK APPROVING THE RECOGNIZED OBLIGATION  
PAYMENT SCHEDULE OF THE SUCCESSOR AGENCY CITY OF ROHNERT  
PARK FOR THE PERIOD JULY 1 - DECEMBER 31, 2012**

**WHEREAS**, Section 34177 (1)(2) of the Health and Safety Code requires the City of Rohnert Park as the successor agency to the former Community Development Commission of the City of Rohnert Park (“Successor Agency”) to submit to the State Department of Finance (“DOF”), the State Controller, and the Sonoma County Auditor-Controller (“County Auditor”) for review, by May 11, 2012, a Recognized Obligation Payment Schedule for the period July 1 through December 31, 2012, that has been certified by the Sonoma County Auditor-Controller as to their accuracy based on an audit and that have been reviewed and approved by the Oversight Board for the Successor Agency City of Rohnert Park (“Oversight Board”);

**WHEREAS**, it is not clear that the Sonoma County Auditor-Controller will be able to complete its review of the Recognized Obligation Payment Schedules in sufficient time for the Oversight Board to review and approve and the Successor Agency to submit them to DOF, the State Controller and the County Auditor prior to the May 11, 2012 deadline;

**WHEREAS**, in order to facilitate DOF’s ability to make timely payments to successor agencies and taxing agency by June 1, 2012, as required by Health and Safety Code Section 34183(a), DOF has advised that where county auditor-controllers are unable to certify draft recognized obligation payment schedules in sufficient time for oversight boards to review and approve them for submittal to DOF, the State Controller and the county auditor-controllers within the applicable deadlines, successor agencies should, within the applicable timelines, submit the uncertified ROPS to their oversight boards for review and approval and submittal to DOF, State Controller and county auditor-controllers.

**NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY CITY OF ROHNERT PARK DOES RESOLVE AS FOLLOWS:**

**Section 1.** The Recognized Obligation Payment Schedule for the period July 1 through December 31, 2012, in the form attached to this resolution and incorporated herein by reference, are hereby approved.

**Section 2.** The staff of the Successor Agency is hereby directed to submit each ROPS to the State Department of Finance, the State Controller and the Sonoma County Auditor-Controller and post each ROPS on the Successor Agency’s website in accordance with Health and Safety Code Section 34177(1)(2)(C), and to cooperate with DOF to the extent necessary to obtain DOF’s acceptance of each ROPS, including, if necessary, making modifications to a ROPS determined by the Successor Agency’s City Manager to be reasonable and financially feasible to meet its legally required financial obligations.

3. Upon the Successor Agency's receipt of a certified ROPS from the County Auditor, and provided the certified ROPS did not require substantial changes from the ROPS approved by this resolution, the Board deems the certified ROPS approved by the Oversight Board and the Successor Agency is hereby authorized and directed to submit the certified ROPS to DOF, the State Controller and the County Auditor for review. If the certified ROPS is substantially different from the ROPS approved by this resolution, the Successor Agency is hereby directed to submit the certified ROPS to the Oversight Board for review and approval prior to its submittal to DOF, the State Controller and the County Auditor for review.

**DULY AND REGULARLY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2012.

**OVERSIGHT BOARD FOR THE SUCCESSOR  
AGENCY CITY OF ROHNERT PARK**

---

Shirlee Zane, Chair

**ATTEST:**

---

Eydie Tacata, Clerk of the Board

**SECOND DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE**

Per AB 26 - Section 34167 and 34169 (\*)

Name of Successor Agency:		City of Rohnert Park												
Former Redevelopment Agency		Community Development Commission of the City of Rohnert Park												
<b>SECOND DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE</b>														
Per AB 26 - Section 34167 and 34169 (*)														
Project Name / Debt Obligation	Payee	Description	Payment Source	Total Outstanding Debt or Obligation as of June 30, 2012	Total Due During Fiscal Year	Payments by Month (July 1, 2012 through December 31, 2012)						Total		
						July	August	September	October	November	December			
1	1991 Tax Allocation Bonds		Bonds issue to fund non-housing projects & 20% set-aside	Redevelopment Property Tax Fund	Paid off									0
2	1999 Tax Allocation Bonds		Bonds issue to fund non-housing projects	Redevelopment Property Tax Fund	31,880,000	790,000		395,000						395,000
3	2001 Tax Allocation Bonds		Bonds refunding issue	Redevelopment Property Tax Fund	8,506,306	1,198,102	968,268							968,268
4	2007R Tax Allocation Bonds		Bonds issue for non-housing projects	Redevelopment Property Tax Fund	38,086,897	1,460,878	973,919							973,919
5	2007H Tax Allocation Bonds		Bonds issue to fund housing projects	Redevelopment Property Tax Fund	25,586,091	1,365,572	853,281							853,281
6	2003 LRRB's 90% Paid by CDC		Lease Revenue Refunding Bonds	Redevelopment Property Tax Fund	5,015,000	488,233	343,455							343,455
7	Performing Arts Center Project	City of Rohnert Park	Loan from City for acquisition and construction of Performing Arts Center (CDC Reso No. 2000-05)	Redevelopment Property Tax Fund	3,602,300	276,750							89,325	89,325
8	Community Center Complex	City of Rohnert Park	Ground Lease (CDC Reso No. 2003-08)	Redevelopment Property Tax Fund	2,458,000	241,000							120,500	120,500
9	City Administration Fee	City of Rohnert Park	Budgeted (Pre-Feb 1, 2012)	Jan chrg. only - tax increment & set-aside	0	Pd /NA	0							0
10	Direct Staff Cost	Housing & Redevelopment Manager	Administration of Housing & Redevelopment	Tax Increment and Housing Set-Aside	0	0	0							0
11	Housing Staff Support	Housing Technician	Monitoring requirements & other actions associated with housing function	Redevelopment Property Tax Fund	873,600	33,600	2,800	2,800	2,800	2,800	2,800	2,800	2,800	16,800
12	Housing Maintenance	City of Rohnert Park	Maintenance costs associated with housing assets (i.e., properties )	Redevelopment Property Tax Fund	1,433,120	55,120	4,593	4,593	4,593	4,593	4,593	4,593	4,593	27,558
13	Oversight Board Meeting Costs	City of Rohnert Park	Under ABx1 26, the costs of the Oversight Board meetings are required to be paid by the Successor Agency. No other costs are required or directed to be paid by the Successor Agency. However, if such costs are necessary, they are included as an enforceable obligation.	Redevelopment Property Tax Fund	705,120	27,120	1,695	1,695	1,695	1,695	1,695	3,390	3,390	13,560
14	Administrative Budget (Successor Agency)	City of Rohnert Park	Support costs (e.g., Executive Director, CFO, Legal, etc.) 2011-02)	Administrative Cost Allowance	10,713,144	412,044	34,337	34,337	34,337	34,337	34,337	34,337	34,337	206,022
15	Burke, Williams & Sorensen, LLP	Same	City Attorney (CDC Reso No 2010-20)	Redevelopment Property Tax Fund	546,000	21,000	1,750	1,750	1,750	1,750	1,750	1,750	1,750	10,500
16	County Property Tax Admin Fee	County of Sonoma	December property tax increment, estimated fee	Redevelopment Property Tax Fund	4,541,446	174,671							170,671	170,671
17	Bank Fees	Union Bank	Bond Issues	Redevelopment Property Tax Fund	208,000	8,000	667	667	667	667	667	667	667	4,002
18	Trustee Fees	Union Bank	Bond Issues	Redevelopment Property Tax Fund	457,080	17,580	1,465	1,465	1,465	1,465	1,465	1,465	1,465	8,790
19	Auditing Fees (Financials)	Vavrinek, Trine, Day & Co LLP	Commission share of auditing costs (City Reso No. 2011-28)	Redevelopment Property Tax Fund	208,000	8,000							4,000	4,000
20	Auditing Fees (Dissolution)	County of Sonoma	County provided estimate for average cost of audit	Redevelopment Property Tax Fund	0	7,500								0
21	Willdan Financial Services	Same	Annual continuing disclosure fee TAB	Redevelopment Property Tax Fund	78,000	3,000		3,000						3,000
22	Pass-through Obligation	County of Sonoma	Estimated pass through payments for tax year - Health & Safety 33401	Redevelopment Property Tax Fund	95,186,585	3,612,949							3,612,949	3,612,949
23	Pass-through Obligation	County of Sonoma	Estimated pass through payments for - Health & Safety 33676	Redevelopment Property Tax Fund	39,235,996	1,542,644							1,542,644	1,542,644







<b>Name of Successor Agency:</b>	<b>City of Rohnert Park</b>						
<b>Former Redevelopment Agency</b>	<b>Community Development Commission of the City of Rohnert Park</b>						

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE - OTHER AMENDED  
PROJECT ACTIVITY STATUS**

				Project	Funding	Total Expended to Date	Total Remaining	Project Activity Status
				Cost Estimate	Source			
<b>Unencumbered 2007 Tax Allocation Bonds</b>								
	<b>Balance as of March 31, 2012 .....</b>		<b>\$ 5,699,360.00</b>					
<b>Unencumbered 1999 Tax Allocation Bonds</b>								
	<b>Balance as of March 31, 2012 .....</b>		<b>\$ 627,400.00</b>					
<b>Interest from bond proceeds</b>								
	<b>Balance as of March 31, 2012 .....</b>		<b>\$ 53,487.00</b>					
			<b>\$ 6,380,247.00</b>					
1)	Rohnert Park Community Center Improvements (Project #2010-14)	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Various improvements to Community Center Campus (as recommended by Retrofit Study) including energy savings improvements, redesign of the center plaza area, development of adjacent vacant lot and other phased projects.	\$ 2,463,824.00	Bond Proceeds	\$ 12,676.37	\$ 2,451,147.63	Retrofit Study has been performed and is in the process of being finalized. Outstanding charges of <b>\$9,145</b> . Costs include expenses for consultant and staff time. Done under Public Improvement & Affordable Housing Reimbursement Agreement (CDC Reso No. 2011-02)
2)	Recreational and Community Facilities Improvements (Project #2011-01)	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Improve recreational and community facilities serving the Project Area. Perform feasibility study. Several projects have been identified including an aquatic facility, water/spray parks and all-weather sports fields.	\$ 3,210,000.00	Bond Proceeds	\$ 49,332.30	\$ 3,140,935.00	Feasibility studies have been performed. Consultants & Staff are in the process of finalizing. Outstanding charges of <b>\$19,732.70</b> . Costs include expenses for consultant and staff time. Done under Public Improvement & Affordable Housing Reimbursement Agreement (CDC Resolution No. 2011-02)
3)	Commercial Building Improvement Program	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Program will provide low interest loans for façade improvements and commercial rehabilitation of commercial properties within the Project Area.	\$ 1,605,000.00	Bond Proceeds	\$ -	\$ 1,605,000.00	City Council adopted Façade Improvement & Commercial Rehabilitation Loan Program on 4/26/11 by Resolution No. 2011-04. Staff was in the process of developing service agreement with the Sonoma County Community Development Commission for administration of the program.
4)	Temporary Fire Station Facility	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Modification of an existing City-owned building to utilize it as a temporary fire station to service portions of the Project Area. Facility will provide service until such time as funding is available for a permanent facility.	\$ 267,500.00	Bond Proceeds	\$ -	\$ 267,500.00	Staff has not begun work on this project.

Name of Successor Agency:	City of Rohnert Park						
Former Redevelopment Agency	Community Development Commission of the City of Rohnert Park						

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE - OTHER AMENDED  
PROJECT ACTIVITY STATUS**

			Project	Funding	Total Expended to Date	Total Remaining	Project Activity Status
			Cost Estimate	Source			
5) Community Sign Program	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Based on Corridor Plan, develop functional signage for major streets and major attractions.	\$ 377,571.00	Bond Proceeds	\$ -	\$ 377,571.00	Staff has not begun work on this project.
<b>Totals</b>			<b>7,923,895.00</b>		<b>62,008.67</b>	<b>7,842,153.63</b>	
<b>Unencumbered 2007 Housing Tax Allocation Bonds</b>							
<b>Balance as of March 31, 2012 .....</b>			<b>\$ 13,707,789.00</b>				
6) Avram Development/Former City Hall R	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Redevelop former City Hall site and two contiguous parcels (6230 Commerce Blvd., 100 and 120 Avram Avenue) based on findings made in feasibility study related to affordable housing obligations. <u>Southwest Fire Station Reuse included in study. Charge for study split 50/50.</u>	\$ 4,731,540.00	Housing Bond Proceeds	\$ 133,032.41	\$ 4,598,507.59	Demolition of site and feasibility study has been performed. Outstanding charges of <b>\$34,050 remain. These are associated with feasibility study. Demolition 100% funded.</b> Outstanding charges will be split between Avram & Southwest projects. Remainder of funds to be used for subsidy to non-profit developer and staff time to negotiate ENA and oversee project.
7) Southwest Fire Station Reuse	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Redevelop property with 17 very-low income housing units or an alternative use focused on creating a public assistance site. <u>This site was incorporated into feasibility study performed for Avram Development. Charges split between two projects.</u>	\$ 2,140,000.00	Housing Bond Proceeds	\$ 7,950.00	\$ 2,132,050.00	Feasibility study with total budget of \$42,000 has been performed. Outstanding charges of <b>\$34,050.00</b> remain. Outstanding charges will be split between Avram & Southwest projects. Remainder of funds to be used for subsidy to non-profit developer and staff time to negotiate ENA and oversee project.
8) Southwest Boulevard Shopping Center	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Housing Element identifies this site for redevelopment of mixed-use housing with 12 affordable housing units; 4 very-low income and 8 low-income units.	\$ 1,840,000.00	Housing Bond Proceeds	\$ -	\$ 1,840,400.00	Staff has not begun work on this project.
9) Acquisition of Affordability Covenants	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Purchase affordability covenants to restrict occupancy of Rohnert Park rental units for 55 years to low and very-low income households.	\$ 1,161,610.00	Housing Bond Proceeds	\$ -	\$ 1,161,610.00	Staff has not entered into negotiations with property owners to purchase covenants.

<b>Name of Successor Agency:</b>	<b>City of Rohnert Park</b>						
<b>Former Redevelopment Agency</b>	<b>Community Development Commission of the City of Rohnert Park</b>						

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE - OTHER AMENDED  
PROJECT ACTIVITY STATUS**

				Project	Funding	Total Expended to Date	Total Remaining	Project Activity Status
				Cost Estimate	Source			
10)	Subsidies for Non-Profit Development	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Provide subsidies to non-profit developers to increase affordable housing opportunities within the Project Area and City.	\$ 3,300,000.00	Housing Bond Proceeds	\$ -	\$ 3,300,000.00	Staff has not entered into negotiations with developers to provide subsidies.
<b>Totals</b>				<b>\$ 13,173,150.00</b>		<b>\$ 140,982.41</b>	<b>\$ 13,032,567.59</b>	
<b>Low-Moderate Income Housing Funds</b>								
<b>Balance as of March 31, 2012 .....</b>				<b>\$ 1,346,308.00</b>				
11)	Neighborhood Beautification Program	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Programs provides assistance to residential property owners for improvements such as painting, landscaping and other improvements.	\$ 30,000.00	LMIHF	\$ -	\$ 30,000.00	Program had been developed and was previously offered. There are no outstanding requests for assistance exist.
12)	Rohnert Park Housing Rehabilitation Loan Program	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Provide rehabilitation loans to low and very-low income households.	\$ 535,000.00	LMIHF	\$ -	\$ 535,000.00	These funds are used to provide funding in excess of annual CDBG allocation. CDC did not receive funding for FY 2012/13, therefore, no funding has been committed to loans.
13)	Assistance to Community Based Organani	Consultants & City of Rohnert Park Reimbursement for Staff Time Chargeable to Projects	Provide financial assistance for health and safety repairs to homes occupied by low-income families with children, seniors and disabled individuals. Provide one-time rental assistance to eligible residents experiencing financial difficulty. Provide rental subsidy for low and very-low income individuals/families living in CDC-owned, COTS-managed Transitional and Shared Living homes.	\$ 843,000.00	LMIHF	\$ -	\$ 843,000.00	The CDC did not enter into multi-year funding agreements with its community service organizations, with the exception of Vida Nueva which is shown on the ROPS. There is an outstanding obligation of \$75,000 in FY 2012/13.
<b>Totals</b>				<b>\$ 1,408,000.00</b>		<b>\$ -</b>	<b>\$ 1,408,000.00</b>	



Mission Statement

*“We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow.”*

**CITY OF ROHNERT PARK  
OVERSIGHT BOARD AGENDA**

Meeting Date: May 7, 2012  
Submitted By: Gabriel A. Gonzalez, City Manager  
Prepared By: Eydie Tacata, Management Analyst  
Agenda Title: **Discussion about Oversight Board Legal Counsel**

---

**RECOMMENDED ACTION:**

Discuss and provide direction to staff to return with a draft legal services agreement with Betsy Strauss for the Board’s consideration at a future meeting.

**BACKGROUND:**

Health and Safety Code Section 34179(c) provides for the Successor Agency to staff the Oversight Board. This provision could be interpreted to include providing legal counsel for the Oversight Board. However, legal counsel for the City cannot directly advise the Oversight Board because of the potential for conflicts between the interests of the City and the interests of the Oversight Board. Consequently, to the extent that the members of the Oversight Board desire legal counsel, Successor Agency staff recommends the retention of separate legal counsel independent of the City.

At the April 11, 2012 meeting, the Oversight Board directed staff to provide options for outside legal counsel.

**DISCUSSION:**

Staff has reviewed resumes of potential legal counsel for the Oversight Board and recommends that the Board consider the retention of Betsy Strauss as the Board’s legal counsel. Ms. Strauss is well respected and known for her knowledge of local government issues. She is special counsel to the League of California Cities and has extensive experience in legislative analysis, public policy analysis, housing, land use, and municipal finance. Ms. Strauss is considered an expert in redevelopment issues. She has also served as the city attorney for the cities of Napa, Fairfield, and Rohnert Park.

Staff recommends that the Board provide direction to the City Manager to have a legal services agreement with Betsy Strauss prepared for the Board’s consideration at a future meeting.

**OPTIONS:**

- (1) The Board may direct staff to review additional resumes of potential candidates for legal counsel and return to the Board with other recommendations.

- (2) The Board may direct staff to implement an RFQ/RFP solicitation process for legal counsel.

**FISCAL IMPACT/FUNDING SOURCE:**

At this time, the cost of outside legal counsel for the Oversight Board is not included in the Successor Agency Administrative Budget. Once the ROPS is certified, the Administrative Budget can be amended to include such costs if necessary.

---

---

**City Manager Approval Date:** 5/2/12

**City Attorney Approval Date:** 5/2/12

**Attachments:** *None*



Mission Statement

*“We Care for Our Residents by Working Together to Build a Better Community for Today and Tomorrow.”*

**CITY OF ROHNERT PARK  
OVERSIGHT BOARD AGENDA**

Meeting Date: May 7, 2012  
Submitted By: Gabriel A. Gonzalez, City Manager  
Prepared By: Patrick Barnes, Deputy City Engineer  
Agenda Title: **Disposition of Triangular Property adjacent to Oxford Suites Development, Parcel 045-081-007**

---

**RECOMMENDED ACTION:**

Direct Staff to negotiate a sale of Parcel 045-081-007 to the developers of the Northern Wilfred-Dowdell Specific Plan.

**BACKGROUND:**

The property in question is on the west side of Redwood Drive, north of Golf Course West, Parcel 045-081-007. It is shown in attachment A. The property consists of approximately 6,875 square feet or .14 acre.

An appraisal of the property was done in May 2009. It concluded that the best and highest use was to combine this parcel with the property immediately to the west. The appraisal valued the property at \$137,000 as part of a larger development. More recently, on March 5, 2012, the Press Democrat reported that Santa Rosa had sold a valuable 7,400 square foot property for about \$11.74 per square foot. It is notable that this property had a very high interest from the buyer.

Due to the unusual size and irregular shape, the parcel has limited development potential as a standalone parcel. The appraisal noted development of the parcel alone “is not legally permissible, physically possible or financially feasible.” Without incorporation into the adjacent development, the parcel is essentially worthless.

The parcel is triangular in shape, 181 feet long and 77 feet wide at the thickest end tapering along its length. Because of its location any structure will need to be set back about 30 feet off the roadway and 20 feet on the other two sides. Taking into account the setback, the “buildable area” is a triangle 35 feet long and 16 feet wide at the widest end. This is shown in attachment B.

This parcel is needed for essential public improvements. Required public improvements include sidewalks and utilities. Without a sidewalk being installed over at least a portion of the property, the frontage along the west side of Redwood Drive will remain inaccessible to pedestrians and it

will not comply with required ADA accessibility standards. People choosing to walk in the street could create both public safety and liability problems.

The subject property is adjacent to the “Wilfred/Dowdell Specific Plan” that is proposed for commercial development. The parcel is adjacent to a hotel and restaurant development that has gone to Planning Commission and hopes to start construction this year. The project includes at least \$9,000,000 of improvements, so it will generate over \$100,000 per year to be shared by the taxing entities.

The hotel development plan originally included this triangular property. Since the hotel development needed the property, they were negotiating to acquire it, but were very reluctant to pay a high price. The developer suggested an exchange for property they were dedicating to the City for right of way.

When the Redevelopment Agency was dissolved, the ability to acquire the property and the timing of any acquisition was thrown in doubt. The developer therefore paid to redesign the development to exclude the triangular property in order to avoid delay and risk. On March 9, 2012, the developer provided a planning submittal that completely removed the triangle property from the development. In a meeting that day, the developer asked to be released from any obligation or conditions pursuant to maintenance of the triangular property.

Now that the developer has an alternative to acquiring the property, the value of the property in any negotiation is greatly diminished. It is doubtful the developer will agree to anything but a nominal price for the property.

If the property can be incorporated into the development, it will generate property taxes estimated at about \$800 per year. The developer will plant and maintain the property and be responsible for the sidewalk. The plantings will enhance the commercial area and the City.

If the parcel is not incorporated into the development, it will remain in the City and the City would retain the cost of weed control, landscape maintenance and sidewalk maintenance as well as liability for the property. The City is not properly funded for this expense. Due to the small size, available access and remote location of the property, this parcel is difficult and expensive to maintain.

If the property is not properly maintained, it will become a blight within a critical commercial and development area. The adjacent developers have already expressed concern about this possibility.

Staff is recommending that we do not do an appraisal prior to negotiating a sale of this property. The development adjacent to the triangular property has already been to Planning Commission and is scheduled to go before the City Council on May 22, 2012. Therefore, time is of the essence. Doing an appraisal of the property would cost about \$4,000 plus staff costs and would take 60 days. Waiting 60 days could preclude any chance of sale. Moreover, given that the

property only has value if it is sold to a developer who no longer needs it, these extra costs would diminish the realized funds resulting from the sale.

### **OPTIONS CONSIDERED:**

**Negotiate a sale with the developer.** This is the recommended option. The advantages of this option are:

1. Provides revenue from the negotiated sale.
2. Ensures the property will be incorporated into a larger development maximizing the resulting property taxes (providing the properties are merged).
3. Shifts the cost of maintaining the property away from the City to a private party.
4. Shifts the liability for the property from the City to the private party.
5. Ensures against blight in a critical economic area.

**Keep the Property.** The City of Rohnert Park could keep the property. The consequences of this action would include:

1. Any proceeds of a sale would not be realized.
2. Increases in property tax revenues resulting from a private party owning the property would not be realized.
3. The City would retain the cost of weed control, landscape maintenance and sidewalk maintenance.
4. The City would retain liability for the property.

### **FISCAL IMPACT:**

Negotiating a sale with the developer will provide the following economic benefits:

1. Provides revenue from the negotiated sale.
2. Ensures the property will be incorporated into a larger development maximizing the resulting property taxes (providing the properties are merged).
3. Shifts the cost of maintaining the property away from the City to a private party.

### **Attachments**

Attachment A picture of Triangle Property

Attachment B Dimensions of Triangle Property:

Attachment A



