

CITY OF LOMA LINDA
CITY COUNCIL AS SUCCESSOR AGENCY
TO THE LOMA LINDA REDEVELOPMENT AGENCY

AGENDA

REGULAR MEETING OF FEBRUARY 12, 2013

A regular meeting of the City Council of the City of Loma Linda as successor agency to the Loma Linda Redevelopment Agency is scheduled to be held Tuesday, February 12, 2013 in the City Council Chamber, 25541 Barton Road, Loma Linda, California. *Pursuant to Municipal Code Section 2.08.010, study session or closed session items may begin at 5:30 p.m. or as soon thereafter as possible. The public meeting begins at 7:00 p.m.*

In acting in the limited capacity of Successor Agency as provided in California Health and Safety Code §§ 34173 and 34176, the City Council expressly determines, recognizes, reaffirms, and ratifies the statutory limitation on the City and the City Council's liability with regards to the responsibilities of the former Loma Linda Redevelopment Agency under AB 1X26. Nothing herein shall be construed as an action, commitment, obligation, or debt of the City itself, or a commitment of any resources, funds, or assets of the City to fund the City's limited capacity as the Successor Agency to the Loma Linda Redevelopment Agency. Obligations of the Successor Agency shall be funded solely by those funds or resources provided for that purpose pursuant to AB 1X26 and related statutes.

Reports and Documents relating to each agenda item are on file in the Office of the City Clerk and are available for public inspection during normal business hours. The Loma Linda Branch Library is also provided an agenda packet for your convenience. The agenda and reports are also located on the City's Website at www.lomalinda-ca.gov.

Materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 25541 Barton Road, Loma Linda, CA during normal business hours. Such documents are also available on the City's website at www.lomalinda-ca.gov subject to staff's ability to post the documents before the meeting.

Persons wishing to speak on an agenda item, including any closed session items, are asked to complete an information card and present it to the City Clerk prior to consideration of the item. When the item is to be considered, please step forward to the podium, the Chair will recognize you and you may offer your comments. The City Council meeting is recorded to assist in the preparation of the Minutes, and you are therefore asked to give your name and address prior to offering testimony.

The Oral Reports/Public Participation portion of the agenda pertains to items NOT on the agenda and is limited to 30 minutes; 3 minutes allotted for each speaker. Pursuant to the Brown Act, no action may be taken by the City Council at this time; however, the City Council may refer your comments/concerns to staff or request that the item be placed on a future agenda.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (909) 799-2819. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Later requests will be accommodated to the extent feasible.

Agenda item requests for the MARCH 12, 2013 meeting must be submitted in writing to the City Clerk no later than NOON, MONDAY, FEBRUARY 25, 2013

A. **Call To Order**

B. **Roll Call**

C. **Items To Be Added Or Deleted**

D. **Oral Reports/Public Participation - Non-Agenda Items** (Limited to 30 minutes; 3 minutes allotted for each speaker)

E. **Conflict of Interest** Disclosure - Note agenda item that may require member abstentions due to possible conflicts of interest

F. **Consent Calendar**

1. Demands Register
2. Minutes of January 8, 2013

G. **Adjournment**



City of Loma Linda Official Report

Rhodes Rigsby, Mayor
Ovidiu Popescu, Mayor pro tempore
Ronald Dailey, Councilman
Phillip Dupper, Councilman
John Lenart, Councilman

SUCCESSOR AGENCY AGENDA: February 12, 2013
TO: City Council
VIA: T. Jarb Thaipejr, City Manager
FROM: Pamela Byrnes-O'Camb, City Clerk
SUBJECT: Minutes of January 8, 2013

Approved/Continued/Denied By City Council Date _____
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RECOMMENDATION

It is recommended that the City Council as the Successor Agency to the Redevelopment Agency approve the Minutes of January 8, 2013.

City of Loma Linda

City Council as Successor Agency
To the Loma Linda Redevelopment Agency

Minutes

Regular Meeting of January 8, 2013

A regular meeting of the City Council as Successor Agency to the Loma Linda Redevelopment Agency was called to order by Chairman Rigsby at 7:27 p.m., Tuesday, January 8, 2013, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor Rhodes Rigsby Mayor pro tempore Ovidiu Popescu Ron Dailey Phill Dupper John Lenart
Councilman Absent:	None
Others Present:	City Manager T. Jarb Thaipejr City Attorney Richard E. Holdaway

No items were added or deleted; no public participation comments were offered upon invitation of the Chair; and no conflicts of interest were noted.

SA-2013-001 – Consent Calendar

Motion by Popescu, seconded by Dailey and unanimously carried to approve the following items:

The Demands Register dated December 25, 2012 with commercial demands totaling \$59,425.36.

The Demands Register dated January 8, 2013 with commercial demands totaling \$550.00.

The Minutes of December 11, 2012 as presented.

New Business

SA-2013-002 - Council Bill #R-2013-03 - Review and approval of Independent Accountant's Report re the Due Diligence Review conducted pursuant to Section 34179.5 for all funds and accounts other than the Low and Moderate Income Housing Fund and authorizing Staff to transmit the Report to the Oversight Board and to the County Auditor-Controller, State Controller's Office, and Department of Finance pursuant to Section 34179.6 of the Dissolution Act

Finance Director DeAnda presented the report, stating that this is the second report required as part of the dissolution of the Redevelopment Agency; Marcum LLP was used to conduct the audit, the same firm that the City contracts with for its audits and the same firm utilized for the Housing Due Diligence Report. She noted a final report was required to be approved by the Oversight Board and submitted to the designated agencies by January 15. She elaborated that because of the tight timeframe within which to accomplish the various requirements, the Oversight Board met yesterday to receive the report and to hear public comment on the Report. No one from the public appeared. The Oversight Board will meet again on January 14 to approve the report either as submitted or with their requested modifications.

She went on to say that once submitted, the State will review it and if there is disagreement, a Meet and Confer process will take place. In addition to the Due Diligence Report, a Property Management Plan must be accomplished relating to any residual properties and the Successor Agency's plan for those properties. A Finding of Completion must be provided by the State by April 1 after which time, performing the ROPS and the Successor Agency's operations would become routine.

Ms. DeAnda indicated that as a result of the Meet and Confer process relating to housing properties, a payment to taxing entities of \$275,000.00 was reduced to \$44,000.00. She added that when the Redevelopment Agency transferred the housing properties to the Housing Authority, revenue is being generated for the Housing Authority as borrowers pay on their loans; that revenue is used for operating the Housing Authority.

She then presented the summary of the audit noting that all procedures were accomplished to determine if there were any unobligated funds that could be transferred to the taxing entities. The process resulted in a determination that there was a negative \$1.1 million, which is believed to be a valid obligation. The State and the Oversight Board may disagree based upon their interpretation of what is or is not an obligation. She explained that the \$1.1 million negative balance was a result of the Redevelopment Agency not

having enough cash to operate. When the Dissolution Act came into effect and because six months of operating funds were not available, any revenues received as of July 1, 2011 were used to fund the next ROPS. The recommendation is to enter into a new loan which can then be paid over a period of time and which can be included in future ROPS.

She then responded to questions.

Motion by Dupper, seconded by Dailey and unanimously carried to adopt Council Bill #R-2013-03.

Resolution No. 2766

A Resolution of the Successor Agency to the Loma Linda Redevelopment Agency approving the Independent Accountant's Report re the Due Diligence Review conducted pursuant to Section 34179.5 for all funds and accounts other than the Low and Moderate Income Housing Fund and authorizing Staff to transmit the Report to the Oversight Board and to the County Auditor-Controller, State Controller's Office, and Department of Finance pursuant to Section 34179.6 of the Dissolution Act

The meeting adjourned at 7:40 p.m.

Approved at the meeting of

City Clerk