



City of Loma Linda Official Report

Ovidiu Popescu, Chairman
Ronald Dailey, Vice Chairman
Stan Brauer, Board Member
Rhodes Rigsby, Board Member
Phillip Dupper, Board Member

AGENCY AGENDA: September 27, 2011
TO: Agency Board Members
VIA: T. Jarb Thaipejr, Executive Director
FROM: Pamela Byrnes-O'Camb, Agency Secretary
SUBJECT: Minutes of August 23, 2011

Approved/Continued/Denied By Redevelopment Agency Date _____
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RECOMMENDATION

It is recommended that the Agency Board approve the Minutes of August 23.

PENDING AGENCY APPROVAL

City of Loma Linda

Redevelopment Agency Minutes

Regular Meeting of August 23, 2011

A regular meeting of the Redevelopment Agency was called to order by Chairman Popescu at 7:06 p.m., Tuesday, August 23, 2011 in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Agency Members Present:

Ovidiu Popescu, Chairman
Ron Dailey, Vice-Chairman
Stan Brauer
Rhodes Rigsby
Phill Dupper

Agency Members Absent:

None

Others Present:

Executive Director T. Jarb Thaipejr
General Counsel Richard E. Holdaway

Scheduled Items

CRA-2011-013 - Joint meeting of the City Council and Agency Board pertaining to CC-2011-084 -

- a. Approve and ratify an appeal filed on behalf of the City pursuant to ABX1 27 (City Council Action)
- b. **Public Hearing** - Council Bill #O-2011-9 (First Reading/Set Second Reading for September 13) - Allows Redevelopment Agency to continue if the City participates in the Alternative Voluntary Redevelopment Program established in Part 1.9 of Division 24 of the California Health and Safety Code (ABX1 27) (City Council action)
- c. Enforceable Obligation Payment Schedule pursuant to Health & Safety Code Section 34169(g) (City Council and Redevelopment Agency Action)
NOTE: THIS IS NOT A PUBLIC HEARING, BUT IS RELATED TO THE ABOVE ITEM
- d. CRA Bill #R-2011-10 - Approving an agreement to transfer tax increment between the Agency and City (Agency Board Action)
NOTE: THIS IS NOT A PUBLIC HEARING, BUT IS RELATED TO THE ABOVE ITEM
- e. Council Bill #R-2011-35 - Approving an agreement to transfer tax increment between the Agency and City (City Council Action)
NOTE: THIS IS NOT A PUBLIC HEARING, BUT IS RELATED TO THE ABOVE ITEM

The Agency Board was called to order at 7:06 p.m. with all members present. Special Counsel Huebsch presented the report, stating that relating to Item "a," it was the City's opinion that the State miscalculated the fees to be paid as part of the "Voluntary Alternative Redevelopment Program." The City met the deadline to file the appeal.

Relating to Item "b," the ordinance provided for participation in the "Voluntary Alternative Redevelopment Program" pursuant to ABX1 27; the effect of adopting the ordinance at this time was uncertain because of the recent actions taken by the Supreme Court.

Item "c" approved an Enforceable Obligation Payment Schedule which City Council action would be by Minute Order and the Redevelopment Agency Board would act by resolution. The Enforceable Obligation was created by ABX1 26 that required agencies to adopt a schedule; post it on a website; and transmit it to the Auditor Controller and the Department of Finance by 60 days after the adoption of ABX1 26, which is August 28. The City may later treat the Enforceable Obligation Payment Schedule as a Responsible Obligation Payment Schedule.

Items "d" and "e" were companion items that approve an agreement to transfer tax increment between the Agency and the City and was expressly conditioned on the Supreme Court determining the validity of ABX1 26 and ABX1 27.

If the City makes a voluntary payment to the State, the law allows the Agency to make a backfill payment to the City. The Agreement provides for such a payment to be made by the Agency to the City, which payment is due by January 15, 2012, the same date that the Supreme Court is expected to make its decision.

PENDING AGENCY APPROVAL

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Most activities of the Redevelopment Agency are frozen at this time in that the Agency cannot initiate new programs; carry out existing programs unless there are enforceable obligations; dispose of or purchase property; however, the Agency must enforce its affordable housing covenants.

A question-and-answer period followed.

Motion by Popescu, seconded by Dailey and unanimously carried to approve and ratify an appeal filed on behalf of the City pursuant to ABX1 27.

Mayor Rigsby opened the public hearing relating to an ordinance that would allow the Redevelopment Agency to continue if the City participated in the Alternative voluntary Redevelopment Program established by ABX1 27. No other public testimony was offered and the public hearing was closed.

Motion by Brauer, seconded by Popescu and unanimously carried to introduce Council Bill #O-2011-9 on First Reading as amended to add SBX1 26 to the numbered Paragraph 11 and to set the Second Reading for September 13.

Motion by Dailey, seconded by Popescu and unanimously carried to approve the Enforceable Obligation Payment Schedule by resolution.

Resolution No. 348

A Resolution of the Loma Linda Redevelopment Agency approving an Enforceable Obligation Schedule and authorizing the Executive Director to make modifications thereto

Motion by Rigsby, seconded by Popescu and unanimously carried to concur in the Agency's approval of the Enforceable Obligation Payment Schedule.

Motion by Dailey, seconded by Brauer and unanimously carried to adopt CRA Bill #R-2011-10.

Resolution No. 349

A Resolution of the Loma Linda Redevelopment Agency approving the Agreement to transfer tax increment by and between the Agency and the City of Loma Linda and making certain findings in connection therewith

Motion by Dupper, seconded by Popescu and unanimously carried to adopt Council Bill #R-2011-35.

Resolution No. 2711

A Resolution of the City of Loma Linda approving an Agreement to transfer tax increment by and between the City of Loma Linda and the Loma Linda Redevelopment Agency and making certain findings in connection therewith

The Agency Board recessed at 7:35 p.m. to allow completion of the City Council Agenda and reconvened at 8:57 p.m. with all members present. No items were added or deleted; no public participation comments were offered upon invitation of the Chair; and no conflicts of interest were noted.

General

CRA-2011-014 - Minutes of June 28, 2011

Motion by Rigsby, seconded by Dailey and unanimously carried to approve the Minutes of June 28, 2011 as presented.

The meeting adjourned at 8:59 p.m.

Approved at the meeting of

Secretary