

Minutes of the Special Meeting of the Oversight Board to the Successor Agency to the Oakley Redevelopment Agency held September 19, 2016 at 6:00 p.m.

1.0 OPENING MATTERS

1.1 Administration of the Oath of Office for new Board member Meghan Bell (Libby Vreonis, Secretary)

Secretary Libby Vreonis administered the oath of office to new Board member Meghan Bell.

1.2 Call to Order and Roll Call of the Oversight Board to the Successor Agency to the Oakley Redevelopment Agency (Bill Swenson, Chair)

Chair Bill Swenson called the meeting to order at 6:01 p.m. in the City Council Chambers located at 3231 Main Street in Oakley.

Roll Call – The following Board Members were present:

John Amie, County Appointee

Meghan Bell, East Contra Costa Fire Protection District Appointee

Sue Higgins, City Appointee

Robert Kratochvil, Contra Costa County Community College District Appointee

Joshua McMurray, City Appointee

Bill Swenson, City Appointee

Eric Volta, County Office of Education Appointee

1.3 Pledge of Allegiance (Bill Swenson, Chair)

Chair Swenson led the Pledge of Allegiance.

2.0 PUBLIC COMMENTS

None.

3.0 CONSENT CALENDAR

3.1 Approve the Minutes of the May 23, 2016 Oversight Board Meeting (Libby Vreonis, Secretary)

It was moved by Boardmember Kratochvil and seconded by Boardmember Higgins to approve the Consent Calendar. AYES: Amie, Higgins, Kratochvil, McMurray, Swenson, and Volta. ABSTENTION: Bell.

4.0 PUBLIC HEARINGS-None

5.0 CLOSED SESSION

5.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

Property: 3201 Main Street, APN 035-090-078
Agency Negotiator: Bryan Montgomery, Executive Director
Negotiating Party: James and Brenda D'Amico, dba Delta Black Bear Diner, Inc and/or D'Amico Investments, LLC
Under Negotiation: Price and terms of payment

5.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

Property: 3980 Empire Avenue, APN 034-010-033
Agency Negotiator: Bryan Montgomery, Executive Director
Negotiating Party: Roy and Erica Pantle
Under Negotiation: Price and terms of payment

6.0 REGULAR CALENDAR

6.1 Consideration of Sale of Real Property located at 3201 Main Street, Oakley (APN 035-090-078) to James and Brenda D'Amico (dba Delta Black Bear Diner, Inc and/or D'Amico Investments, LLC) (Bryan Montgomery, Executive Director)

6.2 Consideration of Sale of Real Property located at 3980 Empire Avenue (APN 034-010-033) to Roy and Erica Pantle (Bryan Montgomery, Executive Director)

With regard to Items 6.1 and 6.2, Executive Director Bryan Montgomery reported the Oversight Board provided direction to him to enter into the Purchase and Sale Agreements with the property owners and include Board recommendations. He mentioned the agreements must be presented to the Successor Agency for approval and if approved, the Oversight Board will consider the agreements for final approval possibly in early November.

6.3 Approval of Master Compensation Agreement with Taxing Entities regarding the former Oakley Redevelopment Agency Properties (Bryan Montgomery, Executive Director)

Executive Director Bryan Montgomery mentioned the Department of Finance has requested a compensation agreement between the Successor Agency and taxing entities for properties held for future development pursuant to the Long Range Property Management Plan. He explained that when all or any portion of the future development properties are sold, the taxing entities will receive a proportionate share (as set forth in the document titled "Tax Rate Area 19029 Allocation of Basic 1% Property Tax") of any net proceeds, as defined by the agreement.

Boardmember Amie inquired how the allocations of the 1% property tax were determined.

Mr. Montgomery explained when Proposition 13 passed in 1978, California state agencies worked with local agencies to determine allocations based upon the perceived need at that time. He added while need has changed, allocations have not.

Boardmember Volta inquired if properties can be sold to taxing entities if they no longer serve a public use.

Mr. Montgomery responded that he does not believe the City can sell the properties under that circumstance and he does not believe the properties would be sold as they are roadways and parking lots; however, the Long Range Property Management Plan could be amended to allow the proceeds from the sale of the properties to third parties to go to the taxing entities. He added it is possible a remnant of the properties that do not serve a public use could be sold in which circumstance the Oversight Board would need to determine the properties' fair market value.

Boardmember Volta inquired why the K-12 Schools ERAF goes to the County Superintendent of Schools for administration rather than local Superintendents. He explained the allocation for the K-12 Schools ERAF should be the same distribution for the high schools and elementary schools as set forth in the Tax Rate Area 19029 Allocation of Basic 1% Property Tax.

Mr. Montgomery responded the County Superintendent of Schools was listed as the one responsible for the K-12 ERAF in other cities' agreements in the County; however, he can look into it.

It was moved by Boardmember Kratochvil and seconded by Boardmember Volta to approve Item 6.3. AYES: Amie, Bell, Higgins, Kratochvil, McMurray, Swenson and Volta.

7.0 WORK SESSION - None

8.0 REPORTS/COMMENTS

8.1 EXECUTIVE DIRECTOR

None.

8.2 MEMBERS OF THE BOARD

None.

9.0 ADJOURNMENT

There being no further business, the meeting was adjourned at 7 p.m.

Respectfully Submitted,

Libby Vreonis
Secretary