

Oversight Board (to the Successor Agency to the Turlock Redevelopment Agency) Special Meeting Agenda

SEPTEMBER 14, 2016

1:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

**Chairman
Curt Andre**

Board Members

Vito Chiesa

Dana Trevethan

Gary Soiseth

Abe Rojas

Gary Hampton

Steve Boyd

Vice-Chair

**Board Secretary
Kellie E. Weaver**

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Board meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the City Clerk's Office at (209) 668-5540. The Board is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the Board on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the Board's consideration of the item; however, no action may be taken on matters that are not part of the posted agenda.

CHALLENGING BOARD DECISIONS: If a person wishes to challenge the nature of the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the Board, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

AGENDA PACKETS: Prior to the Board meeting, a complete Agenda Packet is available for review on the City of Turlock's website at www.cityofturlock.org and in the Board Secretary's Office at 156 S. Broadway, Suite 230, Turlock, during normal business hours. Materials related to an item on this Agenda submitted to the Agency after distribution of the Agenda Packet are also available for public inspection in the Board Secretary's Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

1. **A. CALL TO ORDER**
B. SALUTE TO THE FLAG
2. **DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**
3. **STAFF UPDATES: None**

4. CONSENT CALENDAR:

Information concerning the consent items listed hereinbelow has been forwarded to each Board Member prior to this meeting for study. Unless the Chairman, a Board Member or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Board. The action taken by the Board in approving the consent items is set forth in the explanation of the individual items.

- A. Motion: Accepting Minutes of the June 15, 2016 Special Meeting of the Oversight Board to the Successor Agency to the Turlock Redevelopment Agency
- B. Motion: Ratifying the acceptance of the 2016 Local Agency Biennial Notice indicating no amendments are required to the Conflict of Interest Code for the Successor Agency to the Turlock Redevelopment Agency

5. SCHEDULED MATTERS: None

6. CITIZEN PARTICIPATION:

Any member of the public may address the Board on items within the Board's subject matter jurisdiction but which are not listed on this agenda during Public Comment; however, no action may be taken on matters that are not part of the posted agenda.

7. BOARD ITEMS FOR FUTURE CONSIDERATION

8. BOARD COMMENTS

Board Members may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the legislative body.

9. ADJOURNMENT

The foregoing meeting is hereby called by Chairman Curt Andre at the above mentioned date and time pursuant to California Government Code §54956.



CURT ANDRE, Chairman

June 15, 2016
1:00 p.m.



DRAFT

MINUTES
Special Meeting
Oversight Board to the
Successor Agency to the
Turlock Redevelopment Agency

City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

- 1. A. **CALL TO ORDER** – Chairman Andre called the meeting to order at 1:00 p.m.
PRESENT: Board Members Vito Chiesa, Gary Hampton, Abe Rojas, Gary Soiseth, Alternate Board Member Roger Smith and Chairman Andre
ABSENT: Board Members Steve Boyd

B. SALUTE TO THE FLAG

C. INTRODUCTION ANDE OATH OF OFFICE FOR NEW BOARD MEMBERS

Turlock City Clerk/Board Secretary Kellie Weaver administered the Oath of Office to new members Gary Soiseth, Gary Hampton, and Roger Smith.

- 2. **DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None

- 3. **STAFF UPDATES:** None

4. CONSENT CALENDAR:

Action: Motion by Board Member Rojas, seconded by Board Member Soiseth, to adopt the Consent Calendar. Motion carried, with one member absent and one member not participating, by the following vote:

Board Member Boyd	Board Member Chiesa	Board Member Hampton	Alternate Board Member Smith	Board Member Soiseth	Board Member Rojas	Chairman Andre
Absent	Yes	Yes	Not Participating	Yes	Yes	Yes

- A. Motion: Accepting Minutes of the January 27, 2016 Special Meeting of the Oversight Board to the Successor Agency to the Turlock Redevelopment Agency

5. SCHEDULED MATTERS:

- A. City of Turlock Sr. Accountant Marie Lorenzi presented the staff report on the request to approve the Successor Agency's Issuance of Tax Allocation Refunding Bonds and Take Related Actions; and approve the use of Alternative Source of Funds for Approved Enforceable Obligation Payments and Take Other Actions Relating to ROPS 16-17.

Board discussion included debt repayment and bonding.

Chairman Andre asked for public comment. No one spoke. Chairman Andre closed public comment.



DRAFT

Action: **Resolution No. OB-2016-003** Approving the Successor Agency's Issuance of Tax Allocation Refunding Bonds and Taking Related Actions was introduced by Board Member Rojas, seconded by Alternate Board Member Smith, and carried with one member absent, by the following vote:

Board Member Boyd	Board Member Chiesa	Board Member Hampton	Alternate Board Member Smith	Board Member Soiseth	Board Member Rojas	Chairman Andre
Absent	Yes	Yes	Yes	Yes	Yes	Yes

Resolution No. OB-2016-004 Approving the use of Alternative Source of Funds for Approved Enforceable Obligation Payments and Taking Other Actions Relating to ROPS 16-17 was introduced by Board Member Chiesa, seconded by Board Member Hampton, and carried with one member absent, by the following vote:

Board Member Boyd	Board Member Chiesa	Board Member Hampton	Alternate Board Member Smith	Board Member Soiseth	Board Member Rojas	Chairman Andre
Absent	Yes	Yes	Yes	Yes	Yes	Yes

- 6. **CITIZEN PARTICIPATION:** None
- 7. **BOARD ITEMS FOR FUTURE CONSIDERATION:** None
- 8. **BOARD COMMENTS:**
- 9. **ADJOURNMENT**

Motion by Alternate Board Member Smith, seconded by Board Member Soiseth, to adjourn the meeting at approximately 1:20 p.m. Motion carried, with one member absent, by the following vote:

Board Member Boyd	Board Member Chiesa	Board Member Hampton	Alternate Board Member Smith	Board Member Soiseth	Board Member Rojas	Chairman Andre
Absent	Yes	Yes	Yes	Yes	Yes	Yes

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk/Board Secretary

OVERSIGHT BOARD
TO SUCCESSOR AGENCY TO THE
TURLOCK REDEVELOPMENT AGENCY

SYNOPSIS

September 14, 2016

**TITLE: RATIFICATION OF ACCEPTANCE OF THE 2016 LOCAL AGENCY
BIENNIAL NOTICE INDICATING NO AMENDMENTS ARE REQUIRED
TO THE CONFLICT OF INTEREST CODE FOR THE SUCCESSOR
AGENCY TO THE TURLOCK REDEVELOPMENT AGENCY**

REPORT PREPARED BY: Kellie E. Weaver, City Clerk, as Secretary to the
Successor Agency to the Turlock Redevelopment
Agency

ACTION RECOMMENDED:

Motion: Ratifying the acceptance of the 2016 Local Agency Biennial Notice
indicating no amendments are required to the Conflict of Interest Code for
the Successor Agency to the Turlock Redevelopment Agency

EXECUTIVE SUMMARY:

History

On February 14, 2012, the City Council adopted Resolution No. 2012-023, authorizing the City of Turlock to act as the governing body for the Successor Agency to the Turlock Redevelopment Agency pursuant to part 1.85 of Division 24 of the California Health and Safety Code, establishing rules and regulations for the operations of the Successor Agency as a new legal entity separate from the City, and taking certain actions in connection therewith.

On March 27, 2012, pursuant to Government Code Section 81000, et seq., (the "Political Reform Act"), the Successor Agency to the Turlock Redevelopment Agency adopted Resolution No. SA-RDA-2012-005 (Exhibit A), establishing a Conflict of Interest Code containing designated positions and disclosure categories for Successor Agency and Oversight Board positions.

On April 4, 2012, the Oversight Board to the Successor Agency to the Turlock Redevelopment Agency adopted Resolution No. OB-2012-001, ratifying the Conflict of Interest Code adopted by the Successor Agency to the Turlock Redevelopment Agency containing designated positions and disclosure categories for Successor Agency and Oversight Board positions.

On April 10, 2012, the Turlock City Council, as the Code Reviewing Body, adopted Resolution No. 2012-063, approving the Conflict of Interest Code for the Successor Agency to the Turlock Redevelopment Agency; designating the Code Reviewing Body (City Council) as the entity with which Statements of Economic Interest are to be filed; and designating the City Clerk of the City of Turlock as the filing officer for reports required to be filed by each member of the Successor Agency.

Current

The Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if any amendments to the code are necessary and to file a biennial notice with the agency's code reviewing body.

A review has been completed and it has been determined no amendments to the current code are necessary. The 2016 Local Agency Biennial Notice is provided as Exhibit B. Upon the Oversight Board's action to ratify the Successor Agency's decision to accept the 2016 Local Agency Biennial Notice indicating no amendments are required to the Conflict of Interest Code, the notice will be submitted to the Turlock City Council as the Code Reviewing Body for the Successor Agency for their approval.

BEFORE THE SUCCESOR AGENCY TO THE
TURLOCK REDEVELOPMENT AGENCY

IN THE MATTER OF ADOPTING A }
CONFLICT OF INTEREST CODE }
CONTAINING DESIGNATED POSITIONS }
AND DISCLOSURE CATEGORIES }
_____ }

RESOLUTION NO. SA-RDA-2012-005

NOW, THEREFORE, the Board of Directors of the Successor Agency to the Turlock Redevelopment Agency does hereby find, resolve, and order as follows:

Section 1. The Political Reform Act, Government Code Section 81000, et seq., (the "Political Reform Act") requires the Successor Agency to the Turlock Redevelopment Agency ("Agency") to adopt a conflict of interest code.

Section 2. The Fair Political Practices Commission has adopted a Model Conflict of Interest Code (the "Model Code"). The Model Code, codified at 2 California Code of Regulations Section 18730, can be incorporated by reference by the Agency as its conflict of interest code. That Model Code will be amended by the Fair Political Practices Commission from time to time to conform to amendments to the Political Reform Act.

Section 3. By this resolution the Agency is adopting a Conflict of Interest Code which contains designated positions and disclosure categories.

Section 4. The Model Code, Attached hereto as Exhibit "A" and any amendments to it duly adopted by the Fair Political Practices Commission, and Appendix A which sets forth the designated positions and the disclosure categories for each position of the Agency, are hereby incorporated by reference and shall constitute the Conflict of Interest Code for the Successor Agency to the Turlock Redevelopment Agency.

Section 5. Persons holding designated positions listed in Appendix A shall file Statements of Economic Interest pursuant to Section 5 of the Conflict of Interest Code with the information required for the disclosure category assigned to them unless exempt from filing such Statements pursuant to Section 3 of the Conflict of Interest Code.

Section 6. The Secretary of the Agency shall certify to the passage and adoption of this Resolution and shall submit a copy of this Code to the City Council for its approval as the Code Reviewing Body for the Successor Agency to the Turlock Redevelopment Agency.

PASSED AND ADOPTED at a regular meeting of the Successor Agency to the Turlock Redevelopment Agency this 27th day of March, 2012, by the following vote:

- AYES: Agency Members Bublak, DeHart, Jackson, White and Mayor Lazar
- NOES: None
- NOT PARTICIPATING: None
- ABSENT: None

ATTEST:

Kejlle E. Weaver, City Clerk,
City of Turlock, County of Stanislaus,
State of California

APPENDIX A

DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

FOR THE SUCCESSOR AGENCY TO THE TURLOCK REDEVELOPMENT AGENCY

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Agency Board Member	1
Executive Director	1
Agency Secretary	2
Agency General Counsel	1
Assistant City Manager	2
Finance Officer	1
Agency Engineer	2
Agency Planner	2
Other Consultant(s)	7
Oversight Board Member	8

Disclosure Categories

1. Persons holding designated positions which are assigned a disclosure category of "1" above are not required to report under this Conflict of Interest Code because they hold positions within the City of Turlock which are required to report pursuant to California Government code Section 87200. Persons in this category "1" are, however, subject to the disqualification provisions of this Code when acting in their official capacity for the Successor Agency to the Turlock Redevelopment Agency.
2. Persons holding designated positions which are assigned a disclosure category of "2" above are not required to prepare a Statement of Economic Interest (Form 700) for their positions with the Agency because they also hold positions which are already required to disclose and report under the Conflict of Interest Code of the City of Turlock. Persons in this category "2" are, however, subject to the disqualification provisions of this Code when acting in their official capacity for the Successor Agency to the Turlock Redevelopment Agency.
3. Reportable interests in real property in jurisdiction. (Form 700, Schedule B).
4. Reportable income and business positions. (Form 700, Schedule C).
5. Reportable investments. (Form 700, Schedules A-1 and A-2).
6. Reportable gifts and travel gifts. (Form 700, Schedules D and E).
7. For consultants who serve in a staff capacity with the Agency, the consultant shall disclose based on the disclosure categories assigned elsewhere in this Code for that staff position.

The following disclosure categories shall be used for consultants who do not serve in staff capacity:

Persons required to disclose in this category shall disclose pursuant to categories 3, 4, 5 and 6 above unless the Executive Director determines in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in categories 3, 4, 5 and 6. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this Code.

8. Oversight Board members who serve in a position of the City of Turlock and who are already required to report financial interests pursuant to the broadest disclosure categories under the City's Conflict of Interest Code, are not required to prepare a Statement Economic Interest (Form 700) for their position with the Agency. Persons in this category "8" are, however, subject to the disqualification provisions of this Code when acting in their official capacity for the Successor Agency to the Turlock Redevelopment Agency.

Oversight Board Members who do not serve in another position with the City or who serve in a position with the City that is not required to disclose pursuant to the broadest disclosure categories under the City's Conflict of Interest Code shall disclose pursuant to categories 3, 4, 5 and 6 above.

2016 Local Agency Biennial Notice

Name of Agency: Successor Agency to the Turlock Redevelopment Agency

Mailing Address: 156 S. Broadway, Ste. 230, Turlock, CA 95380

Contact Person: Kellie E. Weaver Phone No. (209) 668-5540, Ext. 1110

Email: kweaver@turlock.ca.us Alternate Email: jland@turlock.ca.us

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(Check all that apply.)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2016**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.