

**LANCASTER SUCCESSOR AGENCY OVERSIGHT BOARD
MINUTES
JULY 17, 2012**

CALL TO ORDER

Chair Brubaker called the meeting to order at 4:00 p.m.

ROLL CALL

PRESENT: Board Members: Fisher, Harvey, Levin, Alternate Board Member Ken Scott (for David Vierra), Vose, Chair Brubaker

ABSENT: Walker; Vierra

STAFF

MEMBERS: City Attorney/Authority Counsel for the Lancaster Successor Agency; Assistant to the City Manager; Assistant City Clerk; Finance Director; Economic Development Director

PLEDGE OF ALLEGIANCE

Board Member Vose

AGENDA ITEMS TO BE REMOVED

None

M 1. MINUTES

On a motion by Board Member Fisher and seconded by Board Member Levin, the Lancaster Oversight Board approved the Lancaster Successor Agency Oversight Board Meeting minutes of June 19, 2012, by the following vote: 6-0-0-1; AYES: Fisher, Harvey, Levin, Scott, Vose, Brubaker; NOES: None; ABSTAIN: None; ABSENT: Walker

Board Member Walker arrived at 4:07 p.m.

NB 1. RESOLUTION APPROVING TRANSFER OF CERTAIN REAL PROPERTIES FROM THE CITY OF LANCASTER TO THE LANCASTER SUCCESSOR AGENCY

The Assistant Finance Director presented the staff report regarding this matter.

On January 17, 2011 the City Council (City) and the Lancaster Redevelopment Agency (Agency) approved the transfer of certain real properties from the Agency to the City in partial payment of debt owed by the Agency. Subsequently, the State Legislature adopted AB x 1 26, which added section 34167.5 to the Health & Safety Code. This section requires assets transferred after January 1, 2011 to be reconveyed to the Agency or the Successor Agency as applicable. Failure to reconvey the properties could result in significant penalties under the provisions of AB 1484 which was recently passed by the Legislature. The properties to be reconveyed are listed on Attachment A "City of Lancaster Property to be Transferred to the Successor Agency".

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NB 1. RESOLUTION APPROVING TRANSFER OF CERTAIN REAL PROPERTIES FROM THE CITY OF LANCASTER TO THE LANCASTER SUCCESSOR AGENCY (continued)

This action was approved by the Lancaster City Council and the Lancaster Successor Agency as a Joint New Business item at their July 10, 2012 meeting.

Comments from the Board included clarification regarding the list of properties; clarification of the debt; request for a map of the properties; process for transfer of properties; ownership of properties and reversing properties back to the Successor Agency.

On a motion by Alternate Board Member Scott and seconded by Board Member Vose, the Lancaster Oversight Board adopted **Resolution No. OB 09-12**, approving the transfer of properties from the City of Lancaster to the Lancaster Successor Agency, by the following vote: 7-0-0-0; AYES: Fisher, Harvey, Levin, Scott, Vose, Walker, Brubaker; NOES: None; ABSTAIN: None; ABSENT: None

NB 2. REPORT REGARDING ASSEMBLY BILL 1484 (AB 1484) AND ACTIONS OF LOS ANGELES COUNTY AUDITOR CONTROLLER

The City Manager presented a report regarding this matter.

On June 27, 2012 the Legislature adopted AB 1484 as a budget trailer bill. AB 1484 imposes new procedures and obligations on the City, the Lancaster Successor Agency and the Lancaster Successor Agency Oversight Board including a requirement that payments of pass-through amounts be made not later than July 12, 2012. Failure to make such payments could subject the City to substantial penalties. While staff believed that all payments had been made, the complexity of the statute leaves some matters to interpretation by entities outside the control of the City.

Los Angeles County officials have confirmed they wrongly billed Lancaster for \$5.8 million in property taxes as a result of the abolition of redevelopment agencies in California.

The Los Angeles County Auditor-Controller told the State Department of Finance officials that Lancaster officials provided evidence confirming payments of nearly \$6.6 million that had not shown up on the State's records and the City expects the Department of Finance to concur with the findings.

The City Attorney stated there are many complexities involved regarding AB 1484; many decisions have been left up to the State Department of Finance; this is a work in progress and a course of action will be brought to the Board in the future.

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NB 2. REPORT REGARDING ASSEMBLY BILL 1484 (AB 1484) AND ACTIONS OF LOS ANGELES COUNTY AUDITOR CONTROLLER (continued)

Comments from the Board included confirming that information received from the League of California Cities is the right information; clarification of the error by Los Angeles County regarding ROPS; discussed pass-through payments; bond payments; is enough known at this time to create the path going forward.

NB 3. RESOLUTION APPROVING REVISED JANUARY – JUNE, 2012 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)

The Assistant Finance Director presented the staff report regarding this matter which pertained to the revised obligation schedule of ROPS.

Comments from the Board included clarification regarding pass-throughs; debt service obligations.

On a motion by Board Member Harvey and seconded by Board Member Fisher, the Lancaster Oversight Board adopted **Resolution No. OB 10-12**, approving the revised January – June Recognized Obligation Payment Schedule, by the following vote: 7-0-0-0; AYES: Fisher, Harvey, Levin, Scott, Vose, Walker, Brubaker; NOES: None; ABSTAIN: None; ABSENT: None

EXECUTIVE DIRECTOR ANNOUNCEMENTS

The Executive Director thanked the Oversight Board for attending these meetings; realizes that everyone is busy and he appreciates their commitment.

CITY CLERK /AUTHORITY SECRETARY ANNOUNCEMENT

The City Clerk stated that there were no speakers from the audience.

BOARD MEMBER COMMENTS

Board Member Levin stated that he appreciated the updates from the City regarding the issues discussed.

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ADJOURNMENT

Chair Brubaker adjourned the meeting at 4:33 p.m. and stated that the next meeting of the Lancaster Oversight Board would take place on Tuesday, August 21, 2012 at 4:00 p.m.

PASSED, APPROVED and ADOPTED this 21st day of August, 2012, by the following vote:


AYES: Board Members: Fisher, Harvey, Levin, Scott, Walker, Chair Brubaker

NOES: None


ABSTAIN: None

ABSENT: Board Member: Vose, Vice Chair Vierra

ATTEST:


GERI K. BRYAN, CMC
City Clerk
Lancaster, CA

APPROVED:


ELIZABETH BRUBAKER
Chair
Lancaster Successor Agency
Oversight Board

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss
CITY OF LANCASTER }

CERTIFICATION OF MINUTES
LANCASTER SUCCESSOR AGENCY OVERSIGHT BOARD

I, _____, _____ of the City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Lancaster Successor Agency Oversight Board minutes, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, CA on this _____ day of _____, _____.

(seal)
