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**SAN PABLO OVERSIGHT BOARD SPECIAL MEETING AGENDA**  
**(Oversight Board of the Local Successor Agency**  
**Of the City of San Pablo)**

**MONDAY, MAY 9, 2016**

**12:00 NOON**

**13831 San Pablo Avenue**  
**Council Chambers**  
**San Pablo, CA 94806**

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VACANT, County Board of Supervisor Appointment  
Rita Xavier, Contra Costa County Fire Protection District Appointment  
McKinley Williams, County Board of Supervisor Public Appointment  
Ofelia Roxas, WCCUSD; County Superintendent Appointment  
Mariles Magalong, Contra Costa College District Appointment  
Cecilia Valdez, City of San Pablo  
Bradley Ward, City of San Pablo, Former RDA Employee Appointment

***Note:** Copies of the agenda are available for inspection in the City Clerk's Office, City Hall, 13831 San Pablo Avenue, Building #1, San Pablo, during regular business hours – 7:30 am to 6:00 pm, Monday through Thursday. The complete agenda packets are also available for viewing, downloading and printing on the City of San Pablo Website at [www.SanPabloCA.gov](http://www.SanPabloCA.gov).*

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**CALL TO ORDER/ PLEDGE OF ALLEGIANCE / ROLL CALL**

**PUBLIC COMMENT**

The public is encouraged to address the Oversight Board on any matter listed on the agenda or any other matter within its jurisdiction subject to the rules of decorum to be described and acted on by the Board. If you wish to address the Board, please complete the Speaker Form provided at the Council Chamber lobby and at the speaker's podium and hand the Speaker Form to the Clerk. The Board will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote.

**CONSENT ITEMS**

All matters listed in the Consent Items section will be considered routine by the Board and will be enacted by one motion. The disposition of the item is indicated, and there will be no separate discussion of these items. If discussion is requested, that item will be removed from the section entitled Consent Items and will be considered separately.

**MINUTES:**

1. Minutes of the meeting of April 13, 2016.  
**Recommended Action: Approve**

**\*\*\*END OF CONSENT CALENDAR\*\*\***

**ITEMS FOR BOARD CONSIDERATION/ACTION:**

2. Resolution (1) rescinding Resolution OB2016-002; (2) approving the installation of fencing at 1411 Rumrill Boulevard by the Local Successor Agency at a total cost of \$71,301; (3) approving the use by the Local Successor Agency of \$35,667 of current property maintenance funding (ROPS 15-16B) for the fencing post; (4) approving the acceptance by the Local Successor Agency of a loan from the City for the balance of the fencing post up to \$335,634; and (5) approving repayment of the City loan by the Local Successor Agency from property maintenance funds allocated to the Local Successor Agency during Fiscal Year 2016-17 (ROPS 16-17).  
**Recommended Action: Adopt Resolution**

**ADJOURNMENT**

**SAN PABLO OVERSIGHT BOARD**  
**(to the Successor Agency of the Redevelopment Agency of the City of San Pablo)**  
**MINUTES OF THE SPECIAL MEETING OF APRIL 13, 2016**

**CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ ROLL CALL**

The special meeting of the Oversight Board of the City of San Pablo as Local Successor Agency to the Redevelopment Agency ("Oversight Board") commenced at 12:08 pm. Present were Chair Cecilia Valdez, Vice Chair Bradley Ward and Directors Rita Xavier and McKinley Williams. Absent were Ofelia Roxas and Mariles Magalong. Also present were City Manager Matt Rodriguez, Assistant City Manager Reina Schwartz, Finance Director Kelly Sessions, Finance Supervisor Jennifer Luong, and Clerk of the Board Leahy Corbin.

**PUBLIC COMMENTS**

There were no speakers.

**CONSENT ITEMS**

**MINUTES**

1. It was moved by Director Williams, seconded by Director Xavier, and passed by vote of those present, to approve the Minutes of the meeting of January 25, 2016. The motion passed as follows:

AYES: Xavier, Williams, Ward and Valdez  
NOES: None  
ABSENT: Roxas and Magalong  
ABSTAIN: None

\* \* \* END OF CONSENT \* \* \*

**ITEMS FOR BOARD CONSIDERATION/ACTION:**

2. Assistant City Manager Schwartz introduced the item. Director questioned the expenditure and whether or not it needed to be a loan from the ROPS 16-17. It was moved by Director Williams, seconded by Vice Chair, and passed by vote of those present, to amend the previously-submitted resolution and adopt **Resolution OB2016-002**, a Resolution of the Oversight Board of the San Pablo Local Successor Agency authorizing an expenditure of \$35,667 toward installation of fencing at 1411 Rumrill Blvd. from the Local Successor Agency (ROPS 15-16B). The motion passed as follows:

AYES: Xavier, Williams, Ward and Valdez  
NOES: None  
ABSENT: Roxas and Magalong  
ABSTAIN: None

**ADJOURNMENT**

The meeting adjourned at 12:23 pm.

Respectfully submitted,

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Lehny M. Corbin, Clerk of the Board

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Cecilia Valdez, Chair

DRAFT

# OVERSIGHT BOARD REPORT



CITY OF SAN PABLO  
City of New Directions

DATE: May 9, 2016

TO: OVERSIGHT BOARD

FROM: MATT RODRIGUEZ, CITY MANAGER  
REINA J. SCHWARTZ, ASSISTANT CITY MANAGER

SUBJECT: RESOLUTION OF THE OVERSIGHT BOARD OF THE SAN PABLO LOCAL SUCCESSOR AGENCY (1) RESCINDING RESOLUTION OB2016-002, (2) APPROVING THE INSTALLATION OF FENCING AT 1411 RUMRILL BOULEVARD BY THE LOCAL SUCCESSOR AGENCY AT A TOTAL COST OF \$71,301, (3) APPROVING THE USE BY THE LOCAL SUCCESSOR AGENCY OF \$35,667 OF CURRENT PROPERTY MAINTENANCE FUNDING (ROPS 15-16B) FOR THE FENCING COST, (4) APPROVING THE ACCEPTANCE BY THE LOCAL SUCCESSOR AGENCY OF A LOAN FROM THE CITY FOR THE BALANCE OF THE FENCING COST UP TO \$35,634, AND (5) APPROVING REPAYMENT OF THE CITY LOAN BY THE LOCAL SUCCESSOR AGENCY FROM PROPERTY MAINTENANCE FUNDS ALLOCATED TO THE LOCAL SUCCESSOR AGENCY DURING FISCAL YEAR 2016-17 (ROPS 16-17)

## RECOMMENDATION

Adopt resolution.

## BACKGROUND

The San Pablo Public Works Department recently identified the need for fencing at three locations: (1) at 1411 Rumrill Boulevard, a property belonging to the Local Successor Agency (LSA), to secure it from illegal dumping and trespassers; (2) at 1820 Rumrill Boulevard, to secure it from illegal dumping and trespassers; and (3) at Creekside, to protect creek areas and prevent further establishment of homeless encampments.

The project was informally bid in conformance with Section 3.16.070.B of the Municipal Code. On April 4, 2016, by City Council Resolution 2016-149 (as amended by Resolution 2016-158 on May 2, 2016) and Local Successor Agency Resolution LSA2016-002 (as amended by Resolution LSA2016-003 on May 2, 2016), the City and LSA awarded the contract to AAA Fence Co., Inc., and authorized the City Manager and Executive Director, respectively, to enter into said contract. The table below summarizes the cost to install the fencing at the three locations. The LSA's portion is \$71,301 (see breakdown below).

Location	Cost	15% Contingency	Total
1411 Rumrill Blvd. (LSA property)	\$62,000.64	\$9,300.09	\$71,300.73
1820 Rumrill Blvd. at Market	\$13,400.25	\$2,010.04	\$15,410.29
Creekside	\$16,198.60	\$2,429.79	\$18,628.39
<b>Total</b>	<b>\$91,599.49</b>	<b>\$13,739.92</b>	<b>\$105,339.41</b>

The LSA's share of the contract amount is \$71,301. However, only \$35,667 is available for property maintenance in the approved Recognized Obligation Payment Schedule (ROPS) for the current period January 1, 2016, through June 30, 2016 (ROPS 15-16B). On April 13, 2016, by Resolution OB2016-002, the Oversight Board approved the expenditure of \$35,667 from ROPS 15-16B toward fencing the LSA property.

In order to fence the LSA property as quickly as possible, the City and LSA resolutions approving the fencing agreement also authorized a loan from the City to the LSA of up to \$35,634 from the FY 2015/16 General Fund Designated Reserves/City Facility Maintenance & One-Time Improvements to fund the balance of the cost associated with the fencing at 1411 Rumrill Boulevard.

Health and Safety Code Section 34173(h) authorizes the City to loan funds to the LSA for the payment of enforceable obligations if approved sources of funding are insufficient during the current ROPS period. The fencing contract for the LSA property is an enforceable obligation pursuant to Health and Safety Code Section 34171(d)(1)(F) as a contract necessary for the maintenance of an LSA asset (1411 Rumrill Boulevard) prior to disposition. 1411 Rumrill Boulevard is currently being marketed for sale by the LSA pursuant to the LSA's Long Range Property Management Plan.

The loan from the City to the LSA is to be repaid from amounts allocated to the LSA for property maintenance expenditures in the ROPS for the period July 1, 2016, through June 30, 2017 (ROPS 16-17) which include sufficient funds to cover the cost of the fencing. Repayment by the LSA would include interest calculated at the Local Agency Investment Fund rate.

Because the action taken by Oversight Board Resolution OB2016-002 was limited to authorizing the expenditure of \$35,667 of LSA funds for the fencing, staff is recommending that Resolution OB2016-002 be rescinded and the proposed resolution be adopted. The proposed resolution approves the installation of the fencing by the LSA and the total cost, as well as the expenditure of current available funds for such purpose and the loan from/repayment to the City.

#### **FISCAL IMPACT**

The proposed action approves a total expenditure by the LSA for the fencing contract amount of \$71,301. The proposed action also approves the use of \$35,667 of current property maintenance funds of the LSA for that purpose and the acceptance of a loan from the City of up to \$35,634 to pay the balance of the fencing contract amount, to be repaid by the LSA with interest calculated at the Local Agency Investment Fund rate.

**RESOLUTION OB2016-###**

**RESOLUTION OF THE OVERSIGHT BOARD OF THE SAN PABLO LOCAL SUCCESSOR AGENCY (1) RESCINDING RESOLUTION OB2016-002; (2) APPROVING THE INSTALLATION OF FENCING AT 1411 RUMRILL BOULEVARD BY THE LOCAL SUCCESSOR AGENCY AT A TOTAL COST OF \$71,301; (3) APPROVING THE USE BY THE LOCAL SUCCESSOR AGENCY OF \$35,667 OF CURRENT PROPERTY MAINTENANCE FUNDING (ROPS 15-16B) FOR THE FENCING COST; (4) APPROVING THE ACCEPTANCE BY THE LOCAL SUCCESSOR AGENCY OF A LOAN FROM THE CITY FOR THE BALANCE OF THE FENCING COST UP TO \$35,634, AND (5) APPROVING REPAYMENT OF THE CITY LOAN BY THE LOCAL SUCCESSOR AGENCY FROM PROPERTY MAINTENANCE FUNDS ALLOCATED TO THE LOCAL SUCCESSOR AGENCY DURING FISCAL YEAR 2016-17 (ROPS 16-17)**

WHEREAS, the City Council of the City of San Pablo (the "City") and the San Pablo Local Successor Agency ("LSA") have approved and authorized an agreement with AAA Fence Co., Inc., for the installation of fencing at certain properties (City Council Resolution 2016-149, adopted on April 4, 2016, amended for clarification by City Council Resolution 2016-158, adopted on May 2, 2016; LSA Resolution LSA2016-002, adopted on April 4, 2016, amended for clarification by LSA Resolution LSA2016-003, adopted on May 2, 2016);

WHEREAS, the property at 1411 Rumrill Boulevard is owned by the LSA and the portion of the total fencing contract amount attributable to the LSA property is \$62,001 plus a 15% contingency for a total of \$71,301;

WHEREAS, only \$35,667 is available for property maintenance expenditures of the LSA as authorized in the approved Recognized Obligation Payment Schedule (ROPS) for the current period January 1, 2016, through June 30, 2016 (ROPS 15-16B);

WHEREAS, to secure the balance of the funding required to fence the LSA property now, the City and LSA resolutions approving the fencing agreement also authorized a loan from the City to the LSA of up to \$35,634 from the FY 2015/16 General Fund Designated Reserves City Facility Maintenance & One-Time Improvements;

WHEREAS, Health and Safety Code Section 34173(h) authorizes the City to loan funds to the LSA for the payment of enforceable obligations if approved sources of funding are insufficient during the current ROPS period;

WHEREAS, the contract for the fencing of the LSA property is an enforceable obligation pursuant to Health and Safety Code Section 34171(d)(1)(F) as a contract necessary for the maintenance of an LSA asset prior to disposition;

WHEREAS, the loan from the City to the LSA is to be repaid from amounts allocated to the LSA for property maintenance expenditures in the ROPS for the period July 1, 2016 through June 30, 2017 (ROPS 16-17) which include sufficient funds to cover the fencing costs; and

WHEREAS, Oversight Board Resolution OB2016-002, adopted on April 13, 2016, approved only the expenditure of \$35,667 by the LSA for the fencing at 1411 Rumrill Boulevard, and is being superseded in its entirety by this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Pablo Oversight Board as follows:

Section 1. Oversight Board Resolution OB2016-002, adopted on April 13, 2016, is hereby rescinded.

Section 2. The installation of fencing at 1411 Rumrill Boulevard at a total cost of \$71,301, as authorized by the San Pablo Local Successor Agency by Resolution LSA2016-002 amended by LSA2016-003, is hereby approved.

Section 3. The use by the San Pablo Local Successor Agency of \$35,667 of current property maintenance funding allocated during the current ROPS period (ROPS 15-16B) for the fencing cost, the acceptance by the San Pablo Local Successor Agency of a loan from the City for the balance of the fencing cost up to \$35,634, and the repayment by the San Pablo Local Successor Agency of the loan from the City (with interest calculated at the Local Agency Investment Fund rate) from amounts allocated for property maintenance expenditures during the next ROPS period (ROPS 16-17) are hereby approved.

\* \* \* \* \*

ADOPTED this 9<sup>th</sup> day of May, 2016, by the following vote:

AYES: DIRECTORS:  
NOES: DIRECTORS:  
ABSENT: DIRECTORS:  
ABSTAIN: DIRECTORS:

ATTEST:

APPROVED:

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Lehny M. Corbin, Clerk of the Board

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Cecilia Valdez, Chair