



# Agenda

## COUNTYWIDE OVERSIGHT BOARD \*SPECIAL MEETING\*

Monday, November 9, 2020

11:00 A.M.

Department of Conservation and  
Development

To slow the spread of COVID-19, the Health Officer's Shelter Order of April 29, 2020, prevents public gatherings ([Health Officer Order](#)). In lieu of a public gathering, the Oversight meeting will be available via remote access per Governor's Executive Order N29-20.

Federal D. Glover, Board of Supervisors ♦ Rita Xavier, Contra Costa Mayors Conference  
Susan Morgan, Special Districts ♦ John Hild, Superintendent of Schools  
Vicki Gordon, Community College District  
Jack Weir, Member of the Public ♦ Gabriel Lemus, RDA Employee

### Agenda Items:

Items may be taken out of order based on the business of the day and preference of the Board

To join this Zoom webinar, please click the link below:

<https://cccouny-us.zoom.us/j/89905299318>

Meeting ID: 899 0529 9318

Or by telephone, dial:

USA 214-765-0478 US Toll or USA 888-278-0254 US Toll-free

Conference code: 198675

### I. INTRODUCTIONS

Call to Order/Roll Call/Pledge of Allegiance

### II. PUBLIC COMMENT on any matter under the jurisdiction of the Oversight Board and NOT on this agenda (speakers may be limited to three minutes).

### III. CONSIDER CONSENT ITEMS: (Items listed as C.1 - C.2) - Items are subject to removal from the Consent Calendar by request of any board member or upon request of for discussion by a member of the public. Items removed from the Consent Calendar will be considered with the Discussion Items. (Items listed as 1-2):

### Minutes

**C.1 APPROVE** the minutes from the September 28, 2020 meeting.

**Recognized Obligation Payment Schedule (ROPS)**

**C.2 ADOPT** Resolution 2020/32 approving the Loan and Repayment Agreement between the City of San Pablo and the San Pablo Local Successor Agency.

**Administrative Budget**

**Contracts**

**Other Items**

**IV. ITEMS FOR DISCUSSION and/or ACTION**

**Public Hearings**

**V. NEXT MEETING:** The next meeting is currently scheduled for Monday, January 25, 2021.

**VI. ADJOURN**

---

*The Countywide Oversight Board will provide reasonable accommodations for persons with disabilities planning to attend its meetings. Contact Anna Battagello at (925) 674-7884 at least 72 hours before the meeting.*

---

*Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Oversight Board less than 96 hours prior to that meeting are available for public inspection at the County Department of Conservation and Development, 30 Muir Road, Martinez during normal business hours.*

---

For Additional Information Contact:

Maureen Toms, Oversight Board Secretary  
Phone (925) 674-7878, Fax (925) 674-7250  
maureen.toms@dcd.cccounty.us

**Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):** Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in meetings of its Board of Supervisors and Committees. Following is a list of commonly used abbreviations that may appear in presentations and written materials at meetings of the Transportation, Water and Infrastructure Committee:

AB Assembly Bill	HOT High-Occupancy/Toll
ABAG Association of Bay Area Governments	HOV High-Occupancy-Vehicle
ACA Assembly Constitutional Amendment	HSD Contra Costa County Health Services Department
ADA Americans with Disabilities Act of 1990	HUD United States Department of Housing and Urban Development
ALUC Airport Land Use Commission	IPM Integrated Pest Management
AOB Area of Benefit	ISO Industrial Safety Ordinance
BAAQMD Bay Area Air Quality Management District	JPA/JEPA Joint (Exercise of) Powers Authority or Agreement
BART Bay Area Rapid Transit District	Lamorinda Lafayette-Moraga-Orinda Area
BATA Bay Area Toll Authority	LAFCo Local Agency Formation Commission
BCDC Bay Conservation & Development Commission	LCC League of California Cities
BDCP Bay-Delta Conservation Plan	LTMS Long-Term Management Strategy
BGO Better Government Ordinance (Contra Costa County)	MAC Municipal Advisory Council
BOS Board of Supervisors	MAF Million Acre Feet (of water)
CALTRANS California Department of Transportation	MBE Minority Business Enterprise
CalWIN California Works Information Network	MOA Memorandum of Agreement
CalWORKS California Work Opportunity and Responsibility to Kids	MOE Maintenance of Effort
CAER Community Awareness Emergency Response	MOU Memorandum of Understanding
CAO County Administrative Officer or Office	MTC Metropolitan Transportation Commission
CCTA Contra Costa Transportation Authority	NACo National Association of Counties
CCWD Contra Costa Water District	NEPA National Environmental Protection Act
CDBG Community Development Block Grant	OES-EOC Office of Emergency Services-Emergency Operations Center
CEQA California Environmental Quality Act	PDA Priority Development Area
CFS Cubic Feet per Second (of water)	PWD Contra Costa County Public Works Department
CPI Consumer Price Index	RCRC Regional Council of Rural Counties
CSA County Service Area	RDA Redevelopment Agency or Area
CSAC California State Association of Counties	RFI Request For Information
CTC California Transportation Commission	RFP Request For Proposals
DCC Delta Counties Coalition	RFQ Request For Qualifications
DCD Contra Costa County Dept. of Conservation & Development	SB Senate Bill
DPC Delta Protection Commission	SBE Small Business Enterprise
DSC Delta Stewardship Council	SR2S Safe Routes to Schools
DWR California Department of Water Resources	STIP State Transportation Improvement Program
EBMUD East Bay Municipal Utility District	SWAT Southwest Area Transportation Committee
EIR Environmental Impact Report (a state requirement)	TRANSPAC Transportation Partnership & Cooperation (Central)
EIS Environmental Impact Statement (a federal requirement)	TRANSPLAN Transportation Planning Committee (East County)
EPA Environmental Protection Agency	TWIC Transportation, Water and Infrastructure Committee
FAA Federal Aviation Administration	USACE United States Army Corps of Engineers
FEMA Federal Emergency Management Agency	WBE Women-Owned Business Enterprise
FTE Full Time Equivalent	WCCTAC West Contra Costa Transportation Advisory Committee
FY Fiscal Year	WETA Water Emergency Transportation Authority
GHAD Geologic Hazard Abatement District	WRDA Water Resources Development Act
GIS Geographic Information System	
HBRR Highway Bridge Replacement and Rehabilitation	



## COUNTYWIDE OVERSIGHT BOARD OF CONTRA COSTA COUNTY

TO: \*SPECIAL MEETING\* COUNTYWIDE OVERSIGHT BOARD  
FROM: Maureen Toms, Oversight Board Secretary  
DATE: 11/09/2020  
SUBJECT: APPROVE the minutes from the September 28, 2020 meeting.  
AGENDA ITEM: C.1

---

### **Recommendation(s)**

Approve the minutes from the September 28, 2020 meeting.

### **Background**

See attached minutes.

---

### **Attachments**

09-28-20 Meeting Minutes

---



# COUNTYWIDE OVERSIGHT BOARD

RECORD OF ACTION FOR  
September 28, 2020  
1:30 p.m.

Federal D. Glover, Board of Supervisors ♦ Rita Xavier, Mayors' Conference  
Susan Morgan, Special Districts ♦ John Hild, Superintendent of Schools  
Vicki Gordon, Community College District  
Jack Weir, Member of the Public ♦ Gabriel Lemus, former Redevelopment Employee

---

Present: Federal D. Glover

Rita Xavier

Vicki Gordon

Susan Morgan

Gabriel Lemus

Jack Weir

John Hild

Absent:

## INTRODUCTIONS

Call to Order/Roll Call/Introduction of New Board Members

*The meeting was called to order by Chair Gordon. In attendance: Board Members Glover, Xavier, Hild, Weir, Lemus, and Morgan. New Board members representing the COntro COsta County Mayors Conference and Gabriel Lemus representing former Redevelopment Agency Employees, were introduced by Maureen Toms.*

**PUBLIC COMMENT** on any matter under the jurisdiction of the Oversight Board and NOT on this agenda (speakers may be limited to three minutes).

*Robert Campbell, the County Auditor Controller, noted that the December 10, 2020 tax collections should be adequate to cover the January 2, 2021 distribution to Successor Agencies.*

**CONSIDER CONSENT ITEMS:** (Items listed as C.1-C.4) - Items are subject to removal from the Consent Calendar by request of any board member or upon request for discussion by a member of the public. Items removed from the Consent Calendar will be considered with the Discussion Items.

## **Minutes**

**C.1** Approve the minutes from the January 27, 2020 meeting.

***Approve the minutes from the January 27, 2020 meeting.***

AYE: Federal D. Glover  
Gabriel Lemus  
Jack Weir  
John Hild  
Rita Xavier  
Susan Morgan  
Vicki Gordon

Attachments:

01-27-20 Meeting Minutes

## **Recognized Obligation Payment Schedule (ROPS)**

**C.2** Adopt Resolution 2020/26 approving the Amended Recognized Obligation Payment Schedule for January 1, 2021 - June 30, 2021 (ROPS 20–21) for the Pleasant Hill Successor Agency.

***Approved on consent: M/S Glover/Weir , 7-0-0.***

AYE: Federal D. Glover  
Gabriel Lemus  
Jack Weir  
John Hild  
Rita Xavier  
Susan Morgan  
Vicki Gordon

Attachments:

Resolution 2020/26

Resolution 2020/26 - Signed

Pleasant Hill ROPS 20-21 Staff Report (Amended)

Pleasant Hill ROPS 20-21B Attachment (Amended)

Friedmans Payments due Dec 2020 & Jun 2021 - Updated 9-8-20

E-Mail Directing Agency to Amend ROPS to Correct PPA 17-18

**C.3** Adopt Resolution 2020/27 approving the refunding of certain obligations and the funding of a swap termination payment related to the Richmond Community Redevelopment Agency's Subordinate Tax Allocation refunding bonds (merged project areas), 2010 Series A, approving the execution of documents rated thereto, including a swap termination agreement, and approving the resolution of the Successor Agency providing authorization, therefor.

***Approved, following discussion from Alan Wolken and John Palmer from the Richmond Successor Agency: M/S Glover/Weir , 7-0-0.***

AYE: Federal D. Glover  
Gabriel Lemus  
Jack Weir  
John Hild  
Rita Xavier  
Susan Morgan  
Vicki Gordon

Attachments:

Resolution 2020/27  
REsolution 2020/27 - Signed  
Staff Report  
Background Report

**C.4** Adopt Resolution 2020/28 approving the Last and Final Recognized Obligation Payment Schedule (ROPS) for the Walnut Creek Successor Agency.

***Approved on consent: M/S Glover/Weir , 7-0-0.***

AYE: Federal D. Glover  
Gabriel Lemus  
Jack Weir  
John Hild  
Rita Xavier  
Susan Morgan  
Vicki Gordon

Attachments:

Resolution 2020/28  
Resolution 2020/28 - Signed  
Staff Report  
Walnut Creek ROPS - FINAL ROPS\_  
Walnut Creek ROPS 20-21 Determination Letter

## **Administrative Budget**

## **Contracts**

## ITEMS FOR DISCUSSION and/or ACTION

## FUTURE AGENDA ITEMS

**NEXT MEETING:** The next meeting is currently scheduled for Monday, January 25, 2021.

*The next meeting is currently scheduled for Monday, January 25, 2021, at 1:30 p.m.*

## ADJOURN

For Additional Information Contact:

Maureen Toms, Oversight Board Secretary  
Phone (925) 674-7878, Fax (925) 674-7250  
maureen.toms@dcd.cccounty.us





## COUNTYWIDE OVERSIGHT BOARD OF CONTRA COSTA COUNTY

TO: \*SPECIAL MEETING\* COUNTYWIDE OVERSIGHT BOARD  
FROM: Maureen Toms, Oversight Board Secretary  
DATE: 11/09/2020  
SUBJECT: ADOPT Resolution 2020/32 approving the Loan and Repayment Agreement between the City of San Pablo and the San Pablo Local Successor Agency.  
AGENDA ITEM: C.2

---

### **Recommendation(s)**

ADOPT Resolution 2020/32 approving the Loan and Repayment Agreement between the City of San Pablo and the San Pablo Local Successor Agency.

### **Background**

See attached staff report.

---

### **Attachments**

Resolution 2020/32  
Staff Report

---

## RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD

### FOR THE COUNTY OF CONTRA COSTA

Adopted this Resolution on 11/09/2020 by the following vote:

AYE: ☐

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



**Resolution: 2020/32**

#### **A RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR THE COUNTY OF CONTRA COSTA APPROVING THE LOAN AND REPAYMENT AGREEMENT BETWEEN THE CITY OF SAN PABLO AND THE SAN PABLO LOCAL SUCCESSOR AGENCY**

**WHEREAS**, pursuant to Part 1.85 of Division 24 of the California Health and Safety Code (Health and Safety Code Section 34170 et seq.; the "Dissolution Act"), all redevelopment agencies in the State of California, including the Redevelopment Agency of the City of San Pablo (the "former Redevelopment Agency"), were dissolved as of February 1, 2012; and

**WHEREAS**, pursuant to the Dissolution Act, the San Pablo Local Successor Agency (the "San Pablo LSA") became the successor agency to the former Redevelopment Agency and is responsible for winding down the affairs of the former Redevelopment Agency, including the payment of all "Enforceable Obligations" (as defined in the Dissolution Act) of the former Redevelopment Agency; and

**WHEREAS**, the payment of Enforceable Obligations must be in accordance with a Recognized Obligation Payment Schedule ("ROPS") of the San Pablo LSA, submitted and approved by the Countywide Oversight Board for the County of Contra Costa (the "Oversight Board") and the State Department of Finance ("DOF") in accordance with Section 34177(o) of the Dissolution Act; and

**WHEREAS**, in the event the San Pablo LSA has insufficient funds to pay Enforceable Obligations, Section 34173(h) of the Dissolution Act provides that the City may loan funds to the San Pablo LSA for the payment of Enforceable Obligations, subject to approval by the Oversight Board and DOF, and provides that an enforceable obligation shall be deemed to be created for the repayment of such loans and added to subsequent ROPS; and

**WHEREAS**, within the last few fiscal years, it has been necessary for the City to advance funds to pay Enforceable Obligations of the San Pablo LSA in the amount of \$1,996,862.16 (the "Prior Advances") that have not yet been repaid to the City; the San Pablo LSA now has insufficient funds to pay Enforceable Obligations during the 2020-21 fiscal year and there is a critical need for another advance from the City in an amount not to exceed \$2,100,000.00 (the "2020-21 Advance"); and

**WHEREAS**, pursuant to the authority provided in Section 34173(h) of the Dissolution Act, the City and the San Pablo LSA desire to enter into a Loan and Repayment Agreement for the following purposes: (1) to memorialize and authorize the specific advances from the City to the San Pablo LSA to pay Enforceable Obligations that could not otherwise be paid by the San Pablo LSA (the Prior Advances and the 2020-21 Advance); and (2) to ensure that the funds loaned by the City representing the Prior Advances and the 2020-21 Advance shall be repaid by the San Pablo LSA as an Enforceable Obligation;

**NOW, THEREFORE**, the Countywide Oversight Board for the County of Contra Costa in its capacity as the Oversight Board for the San Pablo Local Successor Agency does hereby resolve as follows:

**Section 1. Recitals.** The Recitals set forth above are true and correct and incorporated herein.

**Section 2. Approval of Loan and Repayment Agreement.** The Loan and Repayment Agreement between the City of San Pablo and the San Pablo Local Successor Agency, substantially in the form attached to this resolution, is hereby approved.

**Section 3. Transmittal to DOF.** The Oversight Board Secretary is hereby authorized and directed to transmit a copy of this Resolution to the State Department of Finance for its review and approval pursuant to Section 34179(h)(2) of the Dissolution Act.

**PASSED AND ADOPTED** this 8th of November, 2020 by the following vote:

AYES: NOES: ABSENT: ABSTAIN:

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Countywide Oversight Board, on the date shown.

ATTEST:

\_\_\_\_\_ Oversight Board Secretary

**Contact:**

**cc:**

# REQUEST FOR COUNTY OF CONTRA COSTA COUNTYWIDE OVERSIGHT BOARD ACTION



**PREPARED BY:** M. Rodriguez

**DATE OF MEETING:** November 8, 2020

**DATE:** November 4, 2020

**SUBJECT: RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR THE  
COUNTY OF CONTRA COSTA APPROVING THE LOAN AND REPAYMENT  
AGREEMENT BETWEEN THE CITY OF SAN PABLO AND THE SAN  
PABLO LOCAL SUCCESSOR AGENCY**

## **RECOMMENDATION**

Adopt a resolution of the Countywide Oversight Board for the County of Contra Costa approving the Loan and Repayment Agreement ("Agreement") between the City of San Pablo and the San Pablo Local Successor Agency ("LSA") pertaining to the loan of funds from the City to the LSA for the payment of Enforceable Obligations.

## **BACKGROUND**

The San Pablo LSA is responsible for winding down the activities of the former Redevelopment Agency of the City of San Pablo (the "former Redevelopment Agency") pursuant to the requirements of Part 1.85 of Division 24 of the California Health and Safety Code (Health and Safety Code Section 34170 *et seq.*; the "Dissolution Act").

## **ROPS Process**

Section 34177(o) of the Dissolution Act requires the LSA to adopt a ROPS for each fiscal year, which is presented to the Countywide Oversight Board for the County of Contra Costa (the "Oversight Board"). The ROPS functions as the LSA's claim for tax increment, and general authorization, to pay "Enforceable Obligations" (as defined in the Dissolution Act). The ROPS lists the outstanding Enforceable Obligations of the former Redevelopment Agency and the funding source for each Enforceable Obligation. The LSA may only pay -- and will only be allocated tax increment by the County Auditor-Controller for payments of -- Enforceable Obligations listed on the ROPS. Enforceable Obligations that will be funded by other sources, such as existing fund balances, must also be listed on the ROPS.

Following approval of a ROPS by the Oversight Board, it is presented to the State Department of Finance ("DOF") for approval. DOF reviews the ROPS and issues its determination concerning the validity of Enforceable Obligations and the amounts and funding sources for each by April 15 each year.

## **City of San Pablo ROPS**

Over the past several fiscal years, DOF's determinations concerning the ROPS presented by the San Pablo LSA have resulted in a reduction in revenues to the San Pablo LSA of

approximately \$4,000,000.00 and the need to borrow funds from the City in order to pay Enforceable Obligations. Staff of the San Pablo LSA believe that the reductions are the result of miscommunications and misunderstandings between the San Pablo LSA and DOF, and that a reconciliation will reflect the amount that should properly have been distributed to the San Pablo LSA. That reconciliation process is occurring now between the San Pablo LSA staff and DOF staff, and the final determination will be made in connection with DOF's approval of the Loan and Repayment Agreement described below.

#### City/LSA Loan and Repayment Agreement

Section 34173(h) of the Dissolution Act provides that the City of San Pablo (the "City") may loan funds to the LSA for Enforceable Obligations if the LSA has insufficient funds to pay those Enforceable Obligations. The loans are subject to approval of the Oversight Board and DOF.

Within the last few fiscal years, it has been necessary for the City to advance funds to pay Enforceable Obligations of the San Pablo LSA in the amount of \$1,996,862.16 (the "Prior Advances") that have not yet been repaid to the City. The San Pablo LSA now has insufficient funds to pay Enforceable Obligations due during the 2020-21 fiscal year. As a result, there is a critical need for a further advance from the City in an amount up to, but not to exceed, \$2,100,000.00 (the "2020-21 Advance"). Staff have determined that this is the maximum amount that will be necessary. As indicated earlier in this staff report, the final amount will be determined through the reconciliation process with, and approval by, DOF.

The City and the San Pablo LSA desire to enter into a Loan and Repayment Agreement for the following purposes: (1) to memorialize and authorize the specific advances from the City to the San Pablo LSA to pay Enforceable Obligations that could not otherwise be paid by the San Pablo LSA (the Prior Advances and the 2020-21 Advance); and (2) to ensure that the funds loaned by the City representing the Prior Advances and the 2020-21 Advance shall be repaid by the San Pablo LSA as an Enforceable Obligation.

The Loan and Repayment Agreement must be approved by the Oversight Board and DOF. Repayment of the Prior Advances and the 2020-21 Advance (potentially a total of \$4,096,862.16, subject to reconciliation) is proposed to occur in fiscal year 2021-22 in accordance with the approved 2021-22 ROPS. Total tax increment funds available for distribution to pay Enforceable Obligations of the San Pablo LSA are believed to be sufficient to absorb that entire repayment. However, should that not be the case, the repayment obligation would be carried forward to one or more subsequent ROPS until fully repaid.

In the event the Loan and Repayment Agreement is not approved by the Oversight Board and DOF, it will automatically terminate.

#### **Attachments:**

Exhibit A      Oversight Board Resolution 2020/32, with Loan and Repayment Agreement attached