

**AGENDA OF A REGULAR MEETING - SUCCESSOR AGENCY TO THE
COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY
REDEVELOPMENT AGENCY**



**COUNCIL CHAMBERS
CIVIC CENTER
1243 National City Blvd.
National City, CALIFORNIA**

TUESDAY, DECEMBER 2, 2014 – 6:00 PM

RON MORRISON
Chairman

LUIS NATIVIDAD
Boardmember

JERRY CANO
Boardmember

MONA RIOS
Boardmember

ALEJANDRA SOTELO-SOLIS
Boardmember

ORDER OF BUSINESS: Public sessions of all Regular Meetings of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency begin at 6:00 p.m. on the first and third Tuesday of each month. Public hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted on the agenda. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda.

REPORTS: All regular meeting agenda items and reports as well as all documents and writings distributed to the Board less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Board are webcast and archived on the City's website **WWW.NATIONALCITYCA.GOV**.

PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Board will receive public comments regarding any matters within the jurisdiction of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency. Members of the public may also address any item on the agenda at the time the item is considered by the Board. Persons who wish to address the Board are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

WRITTEN AGENDA: With limited exceptions, the Board may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

**1243 National City Blvd.
National City
619-336-4300**

**Meeting agendas and
minutes available on web**

WWW.NATIONALCITYCA.GOV

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to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Board Meetings. Audio headphones are available in the lobby at the beginning of the meeting.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audiófonos están disponibles en el pasillo al principio de la junta.

THE BOARD REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING BOARD MEETINGS.

OPEN TO THE PUBLIC
SUCCESSOR AGENCY AGENDA

CALL TO ORDER

ROLL CALL

PUBLIC ORAL COMMUNICATIONS (THREE-MINUTE TIME LIMIT)

CONSENT CALENDAR

1. [Approval of the Minutes of the Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency of November 18, 2014. \(City Clerk\)](#)
2. [Successor Agency Warrant Register #17 for the period of 10/15/14 through 10/21/14 in the amount of \\$573,748.13. \(Finance\)](#)
3. [Successor Agency Warrant Register #18 for the period of 10/22/14 through 10/28/14 in the amount of \\$605.37. \(Finance\)](#)
4. [Investment Report for the quarter ended September 30, 2014. \(Finance\)](#)

PUBLIC HEARINGS

NON CONSENT RESOLUTIONS

NEW BUSINESS

STAFF REPORTS

CLOSED SESSION REPORT

ADJOURNMENT

Regular Meeting - Successor Agency to the Community Development Commission as the National City Redevelopment Agency Meeting – Tuesday - December 16, 2014 – 6:00 p.m. – Council Chambers – National City, California.

Regular Meeting - Successor Agency to the Community Development Commission Meeting Schedule for the period of December 16, 2014 through January 20, 2015.

December 16 – Regular Meeting
January 06 – (Dispense with meeting)
January 20 – Regular Meeting

The following page(s) contain the backup material for Agenda Item: Approval of the Minutes of the Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency of November 18, 2014. (City Clerk)

Item #____
12/02/14

**APPROVAL OF THE MINUTES OF THE
REGULAR MEETING OF THE SUCCESSOR AGENCY
TO THE COMMUNITY DEVELOPMENT COMMISSION
AS THE NATIONAL CITY REDEVELOPMENT
AGENCY OF NOVEMBER 18, 2014.**

(City Clerk)

DRAFT DRAFT DRAFT

**MINUTES OF THE REGULAR MEETING OF THE
SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT
COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY**

November 18, 2014

The Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency was called to order at 8:02 p.m. by Chairman Ron Morrison.

ROLL CALL

Board members present: Cano, Morrison, Natividad, Rios, Sotelo-Solis.
Administrative Officials present: Dalla, Deese, Raulston, Silva.

PUBLIC ORAL COMMUNICATIONS

None.

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 1 (Minutes), Item Nos. 2 through 5 (Resolution Nos. 2014-54 through 2014-57), Item Nos. 6 through 9 (Warrant Registers). Motion by Sotelo-Solis, seconded by Cano, to approve the Consent Calendar. Carried by unanimous vote.

APPROVAL OF MINUTES

1. Approval of the Minutes of the Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency of October 21, 2014. (City Clerk)
ACTION: Approved. See above.

SUCCESSOR AGENCY 2014 (406-10-12)

2. Resolution No. 2014-54. RESOLUTION OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN FUND 722 – S/A PREVIOUSLY LOW/MOD HOUSING FUND. (Community Development)
ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

CONTRACT (C2006-41)

SUCCESSOR AGENCY 2014 (406-10-12)

3. Resolution No. 2014-55. RESOLUTION OF THE BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY AUTHORIZING THE CHAIRMAN TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES BETWEEN THE SUCCESSOR AGENCY AND CHRISTENSEN & SPATH, LLP, TO EXTEND THE TERM FOR TWO YEARS AND INCREASE THE NOT TO EXCEED AMOUNT BY \$100,000, FOR A TOTAL AGREEMENT AMOUNT OF \$450,000. (City Attorney)

ACTION: Adopted. See above.

CONTRACT (C2010-77)

SUCCESSOR AGENCY 2014 (406-10-12)

4. Resolution No. 2014-56. RESOLUTION OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY AUTHORIZING THE CHAIRMAN TO EXECUTE A SIXTH AMENDMENT TO THE AGREEMENT FOR LEGAL SERVICES BETWEEN THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY, THE CITY OF NATIONAL CITY, AND BEST BEST & KRIEGER, LLP, FOR THE DEFENSE IN THE COMMUNITY YOUTH ATHLETIC CENTER LEGAL CHALLENGE TO INCREASE THE NOT TO EXCEED AMOUNT BY \$225,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$787,500. (City Attorney)

ACTION: Adopted. See above.

CONTRACT (C2014-50)

SUCCESSOR AGENCY 2014 (406-10-12)

5. Resolution No. 2014-57. RESOLUTION OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY ("SUCCESSOR AGENCY") AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT OF RESIGNATION, APPOINTMENT AND ACCEPTANCE BY AND BETWEEN THE SUCCESSOR AGENCY, DEUTSCHE BANK NATIONAL TRUST COMPANY ("DEUTSCHE BANK"), US BANK NATIONAL ASSOCIATION ("US BANK"), AND AMBAC ASSURANCE CORPORATION ACCEPTING THE RESIGNATION OF US BANK AS TRUSTEE FOR THE 2004 TAX ALLOCATION BONDS, SERIES A, AND 2005 TAX ALLOCATION REFUNDING BONDS, SERIES B, AND APPOINTING DEUTSCHE BANK AS TRUSTEE. (Finance)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

SUCCESSOR AGENCY 2014 (406-10-12)

6. Successor Agency Warrant Register #13 for the period of 09/17/14 through 09/23/14 in the amount of \$1,040.53. (Finance)

ACTION: Approved. See above.

SUCCESSOR AGENCY 2014 (406-10-12)

7. Successor Agency Warrant Register #14 for the period of 09/24/14 through 09/30/14 in the amount of \$9,477.23. (Finance)

ACTION: Approved. See above.

SUCCESSOR AGENCY 2014 (406-10-12)

8. Successor Agency Warrant Register #15 for the period of 10/01/14 through 10/07/14 in the amount of \$0.00. (Finance)

ACTION: Approved. See above.

SUCCESSOR AGENCY 2014 (406-10-12)

9. Successor Agency Warrant Register #16 for the period of 10/08/14 through 10/14/14 in the amount of \$2,064.72. (Finance)

ACTION: Approved. See above.

STAFF REPORTS

Carlos Aguirre, Community Development Manager reported that Escrow is scheduled to close by the end of the week on the \$51 million Paradise Creek Housing Project, Phase I, 109 units of Affordable Housing (WITOD). Official ground breaking will be in March 2015 and the project scheduled for completion in June of 2016.

City Manager Leslie Deese thanked Carlos Aguirre and staff for the excellent work in dealing with some unbelievable obstacles and keeping the WITOD project on track.

Brad Raulston, Executive Director, provided an update on the California Department of Finance determination that phase 2 of the WITOD project is an Enforceable Obligation under ROPS. Staff will need to explore options on how to move forward.

CLOSED SESSION REPORT

Agency Counsel Claudia Silva stated that there was nothing to report from the Closed Session. (See attached Exhibit 'L')

ADJOURNMENT

Motion by Sotelo-Solis, seconded by Natividad, to adjourn the meeting to the next Regular Meeting of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency to be held Tuesday, December 2, 2014, 6:00 p.m., Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 8:09 p.m.

Secretary

The foregoing minutes were approved at the Regular Meeting of December 2, 2014.

Chairman

Successor Agency Meeting Schedule for the Period December 2, 2014 through January 20, 2015:

- December 02 Regular Meeting
- December 16 Regular Meeting
- January 06 Regular Meeting (Dispense with Meeting)
- January 20 Regular Meeting

EXHIBIT 'L'



AGENDA OF A SPECIAL MEETING

**CITY COUNCIL OF THE CITY OF NATIONAL CITY
AND
SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT
COMMISSION AS THE NATIONAL CITY REDEVELOPMENT
AGENCY**

**Main Conference Room
Civic Center
1243 National City Boulevard
National City, California**

Special Meeting – Tuesday, November 18, 2014 – 5:00 p.m.

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Isabel Padilla v. City of National City
San Diego Superior Court Case No. 37-2013-00030288
2. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Frank Lindsay v. City of National City
United States District Court Case No. 14CV0855L BLM
3. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Community Youth Athletic Center v. City of National City, CDC, et al.
SD Superior Court Case No. 37-2007-00076404-CU-EI-CTL
Court of Appeal Case No. D060001

SUCCESSOR AGENCY

4. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(a)
Community Youth Athletic Center v. City of National City, CDC, et al.
SD Superior Court Case No. 37-2007-00076404-CU-EI-CTL
Court of Appeal Case No. D060001

ADJOURNMENT

Next Regular City Council Meeting – Tuesday, November 18, 2014, 6:00 p.m., Council Chambers, Civic Center

DRAFT

The following page(s) contain the backup material for Agenda Item: Successor Agency Warrant Register #17 for the period of 10/15/14 through 10/21/14 in the amount of \$573,748.13. (Finance)

**SUCCESSOR AGENCY TO
THE COMMUNITY DEVELOPMENT COMMISSION
AS THE NATIONAL CITY REDEVELOPMENT AGENCY
AGENDA STATEMENT**

MEETING DATE: December 2, 2014

AGENDA ITEM NO. _____

ITEM TITLE:

Successor Agency Warrant Register #17 for the period of 10/15/14 through 10/21/14 in the amount of \$573,748.13. (Finance)

PREPARED BY: K. Apalategui
PHONE: 619-336-4572

DEPARTMENT: Finance

APPROVED BY: 

EXPLANATION:

Pursuant to ABX1 26, all redevelopment agencies in the State of California were dissolved as of February 1, 2012. Upon dissolution of the City of National City's Redevelopment Agency, the City assumed the role of Successor Agency to the Community Development Commission as the National City Redevelopment Agency ("Successor Agency").

In order to streamline the payment process, the City pays all expenses of the Successor Agency. The Successor Agency then reimburses the City.

Attached is a detailed listing of all expenses totaling \$573,748.13 reimbursed by the Successor Agency for the period. Staff requests approval of reimbursement of the Successor Agency expenses.

FINANCIAL STATEMENT:

ACCOUNT NO.

Reimbursement total \$573,748.13

APPROVED: 

Finance

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Ratification of reimbursement in the amount of \$573,748.13

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Successor Agency Warrant Register #17



**SUCCESSOR AGENCY
WARRANT REGISTER #17
10/21/2014**

| <u>PAYEE</u> | <u>DESCRIPTION</u> | <u>CHK NO</u> | <u>DATE</u> | <u>AMOUNT</u> |
|------------------------------|------------------------------------|---------------|-------------|---------------|
| CHRISTENSEN & SPATH LLP | LEGAL / WESTIDE TOD | 314721 | 10/21/14 | 7,517.50 |
| DEPT OF INDUSTRIAL RELATIONS | CONVEYANCE 923 A AVE | 314722 | 10/21/14 | 125.00 |
| OPPER & VARCO LLP | LEGAL / ED/PARK VILLAGE | 314723 | 10/21/14 | 390.00 |
| PARADISE CREEK | PREDEVELOPMENT LOAN | 314724 | 10/21/14 | 539,984.33 |
| SAN DIEGO STATE UNIVERSITY | PREPARE OF INVENTORY OF SA PARCELS | 314725 | 10/21/14 | 25,000.00 |
| SWEETWATER UNION HS DISTRICT | SPECIAL TAXES FOR CENTRO UNIT | 314704 | 10/21/14 | 731.30 |

A/P Total \$ 573,748.13

GRAND TOTAL \$ 573,748.13

The following page(s) contain the backup material for Agenda Item: Successor Agency Warrant Register #18 for the period of 10/22/14 through 10/28/14 in the amount of \$605.37. (Finance)

**SUCCESSOR AGENCY TO
THE COMMUNITY DEVELOPMENT COMMISSION
AS THE NATIONAL CITY REDEVELOPMENT AGENCY
AGENDA STATEMENT**

MEETING DATE: December 2, 2014

AGENDA ITEM NO. |

ITEM TITLE:

Successor Agency Warrant Register #18 for the period of 10/22/14 through 10/28/14 in the amount of \$605.37. (Finance)

PREPARED BY: K. Apalategui
PHONE: 619-336-4572

DEPARTMENT: Finance

APPROVED BY: Mark Roberts

EXPLANATION:

Pursuant to ABX1 26, all redevelopment agencies in the State of California were dissolved as of February 1, 2012. Upon dissolution of the City of National City's Redevelopment Agency, the City assumed the role of Successor Agency to the Community Development Commission as the National City Redevelopment Agency ("Successor Agency").

In order to streamline the payment process, the City pays all expenses of the Successor Agency. The Successor Agency then reimburses the City.

Attached is a detailed listing of all expenses totaling \$605.37 reimbursed by the Successor Agency for the period. Staff requests approval of reimbursement of the Successor Agency expenses.

FINANCIAL STATEMENT:

APPROVED: Mark Roberts Finance

ACCOUNT NO.

APPROVED: _____ MIS

Reimbursement total \$605.37

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Ratification of reimbursement in the amount of \$605.37

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Successor Agency Warrant Register #18



**SUCCESSOR AGENCY
WARRANT REGISTER #18
10/28/2014**

| <u>PAYEE</u> | <u>DESCRIPTION</u> | <u>CHK NO</u> | <u>DATE</u> | <u>AMOUNT</u> |
|----------------------|----------------------------------|---------------|--------------------|------------------|
| OPPER & VARCO LLP | LEGAL / ED/PARK VILLAGE / S A | 314803 | 10/28/14 | 390.00 |
| SDG&E | GAS AND ELECTRIC UTILITIES / S A | 314804 | 10/28/14 | 152.70 |
| SWEETWATER AUTHORITY | WATER UTILITES / S A | 314805 | 10/28/14 | 62.67 |
| | | | A/P Total | \$ 605.37 |
| | | | GRAND TOTAL | \$ 605.37 |

The following page(s) contain the backup material for Agenda Item: Investment Report for the quarter ended September 30, 2014. (Finance)

**SUCCESSOR AGENCY TO
THE COMMUNITY DEVELOPMENT COMMISSION
AS THE NATIONAL CITY REDEVELOPMENT AGENCY
COUNCIL AGENDA STATEMENT**

MEETING DATE: December 2, 2014

AGENDA ITEM NO. |

ITEM TITLE:

Investment Report for the quarter ended September 30, 2014.

PREPARED BY: Ronald Gutlay

DEPARTMENT: Finance

PHONE: (619) 336-4346

APPROVED BY: *Mark Roberts*

EXPLANATION:

See attached staff report.

FINANCIAL STATEMENT:

APPROVED: *Mark Roberts* Finance

ACCOUNT NO.

APPROVED: _____ MIS

See attached staff report.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Accept and file the Investment Report for the quarter ended September 30, 2014.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Staff Report
2. Investment Summary



Successor Agency Staff Report

December 2, 2014

ITEM

Staff Report: Successor Agency's Investment Report for the quarter ended September 30, 2014.

BACKGROUND

The California Government Code (§ 53646(b)) requires that, when the treasurer or the chief fiscal officer of a local agency renders to the legislative body of the agency a quarterly report on the agency's investment portfolio, such report shall include the following information regarding all securities, investments, and moneys held by the local agency:

- type of investment;
- issuer (bank or institution);
- date of maturity;
- dollar amount invested; and
- current market valuation as of the date of the report.

In addition, the Government Code (§ 53646(b)(2)) requires that the report states the City's compliance with its investment policy and includes a statement regarding the ability of the local agency to meet its pool's ability to meet its expenditure requirements Code (§ 53646(b)(3)).

OVERVIEW OF SUCCESSOR AGENCY INVESTMENTS

The Successor Agency invests most of its funds with the California Treasurer's Local Agency Investment Fund ("LAIF"). This is a liquid investment pool, which allows participants to earn market rate returns of large investments, while retaining access to funds within 24 hours of a withdrawal request. For the quarter ended September 30, 2014, the LAIF's interest rate was 0.24%.

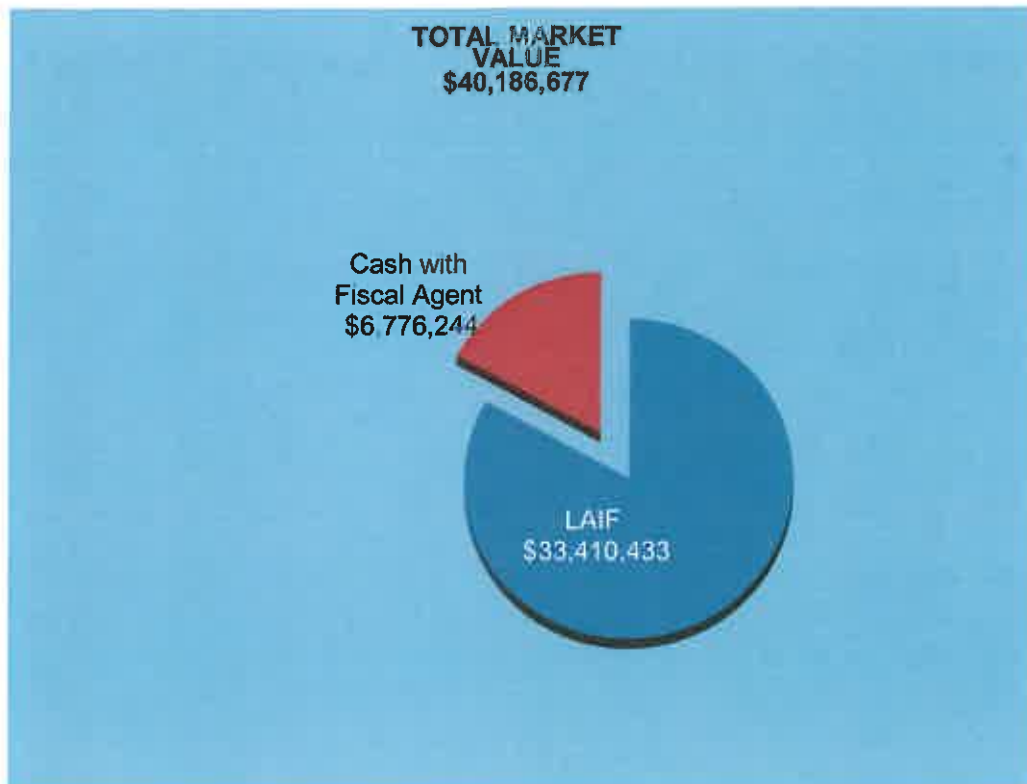
The investment of debt service reserve funds; the 1999, 2004, 2005, and 2011 Tax Allocation Bonds; and the HUD Section 108 Loan Program funds are maintained by the designated fiscal agent. These funds account for 16.86% of the Successor Agency's portfolio.

Summaries of the Successor Agency's investment portfolio are illustrated on the next page.

SUMMARY OF INVESTMENT PORTFOLIO

For the Quarter Ended September 30, 2014

| Investment Type | Book Value | Market Value | % of Portfolio |
|------------------------|----------------------|----------------------------|-----------------------|
| LAIF | \$ 33,404,377 | \$ 33,410,433 ² | 83.14% |
| Cash with Fiscal Agent | 6,776,244 | 6,776,244 | 16.86% |
| Totals | \$ 40,180,621 | \$ 40,186,677 | 100.00% |



COMPLIANCE STATEMENT

All of the Successor Agency’s investments are in compliance with the City’s investment policy (City Council Policy No. 203) and the California Government Code (§ 53601 et seq).

FINANCIAL STATEMENT

Total LAIF gains/(losses), realized and unrealized, for the period were \$20,354.

Staff certifies that there are sufficient funds to meet the pool’s expenditure requirements.

RECOMMENDATIONS

Accept and file the Successor Agency Investment Report for the quarter ended September 30, 2014.

SUCCESSOR AGENCY - CDC OF NC
 Portfolio Details - Investments
 September 30, 2014

| CUSIP | Investment # | Issuer | Purchase Date | Par Value | Market Value | Book Value |
|----------|--------------|--------------------------------|---------------|---------------------|---------------------|---------------------|
| SYS10013 | 10013 | National City 2004 TAB | | 35,632.50 | 35,632.50 | 35,632.50 |
| SYS10010 | 10010 | National City 2005A TAB | 07/01/2011 | 2,186,336.00 | 2,186,336.00 | 2,186,336.00 |
| SYS10040 | 10040 | National City 2011 TAB | 07/01/2011 | 4,220,954.75 | 4,220,954.75 | 4,220,954.75 |
| SYS10020 | 10020 | National City 1999 TAB Reserve | | 333,320.76 | 333,320.76 | 333,320.76 |
| | | | | 6,776,244.01 | 6,776,244.01 | 6,776,244.01 |