



Mendocino County

Legislation Text

File #: 19-0571, **Version:** 1

To: Board of Supervisors

From: Water Agency

Meeting Date: July 9, 2019

Department Contact: Carmel J. Angelo

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Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Approval of a Master Agreement for Taxing Entity Compensation to Allow Properties Listed in the Agreement to be Sold and/or Conveyed as Outlined in the Ukiah Successor Agency to the Ukiah Redevelopment Agency's Long Range Management Plan, Effective When Agreement Becomes Fully Executed Until Net Unrestricted Proceeds From Sale of Last Sites Has Been Paid to County Auditor-Controller

Recommended Action/Motion:

Approve Master Agreement for Taxing Entity Compensation to all properties listed in the Agreement to be sold and/or conveyed as outlined in the Ukiah Successor Agency to the Ukiah Redevelopment Agency's Long Range Management Plan, effective when Agreement becomes fully executed until net unrestricted proceeds from sale of last sites has been paid to County Auditor-Controller; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

No Previous action.

Summary of Request:

Assembly Bill 1X 26, enacted in June 2011, and as modified by the Supreme Court of the State of California in the matter of California Redevelopment Association, et al. v. Ana Matosantos, et al., Case No.S194861, and further modified by Assembly Bill 1484, enacted in June 2012, and other subsequent legislation (collectively, the "Dissolution Act") dissolved and set out procedures for the wind-down of the affairs of all redevelopment agencies throughout the State effective February 1, 2012.

The Successor Agency to the Redevelopment Agency of the City of Ukiah ("Successor Agency") is the successor entity to the former Redevelopment Agency of the City of Ukiah ("Redevelopment Agency") and, pursuant to the Dissolution Act, is responsible for the wind-down of the affairs of the former Redevelopment Agency, including disposing of assets and properties of the former Redevelopment Agency.

Pursuant to Health and Safety Code Section 34191.4, the Successor Agency prepared a Long Range Property Management Plan ("LRPMP") to address the use or disposition of the real properties previously owned by the former Redevelopment Agency. The LRPMP was approved by the Successor Agency on July 2, 2014, by the Oversight Board for the Successor Agency on September 24, 2014, and by the State Department of Finance ("DOF") by letter dated December 30, 2014.

The LRPMP provides that, pursuant to Health & Safety Code Section 34191.5(c)(2), 34180 (f) a site formerly owned by the Redevelopment Agency will be transferred by the Successor Agency to the City of Ukiah for future development. The full document can be reviewed at <http://www.cityofukiah.com/oversight-boardsuccessor-agency/>.

Pursuant to Health and Safety Code Section 34191.5(c)(2)(A)(iii) and a directive from DOF, before any of the sites can be sold for future development, the City must enter into an agreement with the taxing entities that addresses disposition of the sites to be conveyed to the City for future development and provides for the payment of the proceeds from the sale of the sites to the affected taxing entities in accordance with each taxing entity's pro rata share of the Tax Base. The County of Mendocino and the Mendocino County Water Agency are affected taxing entities that receive property taxes from the Ukiah Redevelopment Project Area. The City has prepared a Master Agreement for Taxing Entity Compensation ("Compensation Agreement") that establishes the procedures required to be followed by the City for the sale of the sites for future development, and also establishes that the City will remit the Net Unrestricted Proceeds from the sale of the sites to the Mendocino County Auditor-Controller for distribution to the taxing entities in accordance with each taxing entity's pro rata share of the Tax Base, as required by law.

Attached is a copy of the Compensation Agreement. Staff recommends the Water Agency Board of Directors approve the agreement and authorize the Chair to sign the agreement. When the City has received signatures from all of the affected taxing entities, a copy of the completely executed Compensation Agreement will be forwarded out to all signers including the Water Agency and County.

Alternative Action/Motion:

Do not approve agreement and provide alternative direction to staff.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At:

<http://www.cityofukiah.com/oversight-boardsuccessor-agency/>

Fiscal Details:

source of funding: Revenue - Tax Entity Compensation	budgeted in current f/y: N/A
current f/y cost: N/A	if no, please describe:
annual recurring cost: N/A	revenue agreement: Yes

budget clarification: Agreement established pro rata share of tax base for sales of future sites.

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Sarah Dukett, Deputy CEO

CEO Review: Choose an item.

CEO Comments:

FOR COB USE ONLY

Executed By: Lindsey Dunham, Deputy Clerk I

Date: July 10, 2019

Final Status: **Approved**

Executed Item Number: **Interim Agreement**
Number: *19-183

Note to Department Number of Original Agreements
Returned to Dept: 2 Original Agreement Delivered to Auditor?
No

