



**AGENDA
SUCCESSOR AGENCY
TO THE MANTECA REDEVELOPMENT AGENCY
REGULAR MEETING
MAY 15, 2012
7:00 P.M.
CITY COUNCIL CHAMBERS
1001 W. CENTER STREET**

CALL TO ORDER: Chairman Weatherford

ROLL CALL: Board Members DeBrum, Harris, Hernandez, Moorhead and Weatherford

A. CONSENT CALENDAR

It is recommended that the following items be considered simultaneously unless Board members or a member of the audience requests further discussion of an item.

1. Approve the regular meeting minutes of the Successor Agency to the Manteca Redevelopment Agency of May 1, 2012.
2. Adopt a resolution approving the execution of a Cooperative Agreement for Advance and Reimbursement of Administrative, Overhead, and Other Expenses between the City and the Successor Agency, and Taking Certain Other Actions.

B. ORAL COMMUNICATIONS

Persons who do not have items on the agenda may approach the Successor Agency at this time. Please complete the Request to Speak form located next to the agendas in the back of the Council Chambers and give same to the Secretary/ City Clerk prior to the meeting. Those who wish to speak to items not placed on the agenda will be limited to three (3) minutes per speaker. Although the Board encourages the public to participate in the meeting, proper decorum must be assured at all times. Therefore, no personal attacks will be permitted.

C. ADJOURNMENT

This meeting of the Successor Agency to the Manteca Redevelopment Agency will adjourn to the next regular meeting of the Board to be held on Tuesday, **June 5, 2012, 7:00 p.m.**, in the City Council Chambers, 1001 W. Center Street, Manteca, California.

Reports and documents relating to each of the items listed on the agenda, including those received following posting/distribution, are on file in the Office of the Secretary to the Successor Agency to the Manteca Redevelopment

Agency/City Clerk and are available for public inspection during normal business hours, Monday – Friday, 7:30 a.m. – 5:30 p.m., closed alternating Fridays, 1001 W. Center Street, Manteca, CA 95337, telephone (209) 456-8017.

Please contact the Office of the Secretary of the Successor Agency to the Manteca Redevelopment Agency, 1001 W. Center Street, Manteca, CA, (209) 456-8017, for assistance with access to any of the agenda, materials, or participation at the meeting.

This notice of a regular meeting of the Successor Agency to the Manteca Redevelopment Agency was posted on the Bulletin Board at City Hall, 1001 W. Center Street, Manteca, California on May 10, 2012.

**JOANN TILTON, MMC
SECRETARY/CITY CLERK**

**MINUTES OF THE SUCCESSOR AGENCY
TO THE MANTECA REDEVELOPMENT AGENCY
REGULAR MEETING HELD MAY 1, 2012**

The meeting of the Successor Agency to the Manteca Redevelopment Agency held May 1, 2012, in the City Council Chambers, 1001 W. Center St., Manteca, California, was called to order by Chairman Weatherford at 9:09 p.m.

Roll Call: Board Members DeBrum, Harris, Hernandez, Moorhead and Weatherford.

A. CONSENT CALENDAR

1. Approve the regular meeting minutes of the Successor Agency to the Manteca Redevelopment Agency of March 20, 2012.
2. Receive and file report of actions taken by the Oversight Board to the Successor Agency of the Manteca Redevelopment Agency relating to the approval of Administrative Budgets for January 1 through June 30, 2012; and July 1 through December 31, 2012.
3. Receive and file report of action taken by the Oversight Board to the Successor Agency of the Manteca Redevelopment Agency relating to the approval of the Recognized Obligation Payment Schedule (ROPS) for January 1 through June 30 and July 1 through December 31, 2012.

ACTION: APPROVE CONSENT CALENDAR ITEMS 1-3. (Hernandez/Harris)
The motion carried unanimously.

B. ORAL COMMUNICATIONS

Bruce Lownsbery, Manteca resident, suggested “the role of the Successor Agency” as a standing agenda item.

C. ADJOURNMENT

With nothing further to come before the Successor Agency to the Manteca Redevelopment Agency, the Chairman adjourned the meeting at 9:12 p.m.

**JOANN TILTON, MMC
AGENCY SECRETARY**

**WILLIE W. WEATHERFORD
CHAIRMAN**

Successor Agency Agenda
May 15, 2012
Consent Calendar
Agenda Item No. 2

Reviewed by
City Mgr's office: /KLM

Memo to: Successor Agency to Manteca Redevelopment Agency

From: Karen McLaughlin, Executive Director

Date: May 15, 2012

Subject: Cooperative Agreement for Advance and Reimbursement of Administrative, Overhead, and Other Expenses Between the City and the Successor Agency, and Taking Certain Other Actions

Recommendation:

Staff recommends that the Board of Directors of the Successor Agency to the Manteca Redevelopment Agency adopt a resolution, approving the execution of a Cooperative Agreement for Advance and Reimbursement of Administrative, Overhead, and Other Expenses between the City and the Successor Agency, and taking certain other actions.

Background:

Upon dissolution of the Manteca Redevelopment Agency on February 1, 2012 pursuant to AB X1 26, the Successor Agency to the Manteca Redevelopment Agency was constituted and is governed by a board of directors consisting of the members of the City Council.

Pursuant to AB X1 26, the Successor Agency is required to undertake a number of actions related to winding down the affairs of the former Redevelopment Agency. For example, the Oversight Board may direct the staff of the Successor Agency to perform work in furtherance of the Oversight Board's duties and responsibilities under AB X1 26 and the Successor Agency must pay for all of the costs of meetings of the Oversight Board. In addition, the Successor Agency will have a number of ongoing responsibilities, such as paying debt service on enforceable obligations of the former Redevelopment Agency and preparing an administrative budget and Recognized Obligation Payment Schedule (ROPS) for each six-month fiscal period.

Each proposed administrative budget must include all of the following: (1) estimated amounts for Successor Agency administrative costs for the applicable six-month fiscal period; (2) proposed sources of payment for the administrative costs; and (3) proposals for arrangements for administrative and operations services provided by the City or other entity.

AB X1 26 provides that the Successor Agency may include the cost of Oversight Board meetings in its administrative budgets, but otherwise does not specify which expenses are appropriate for including in the administrative budget. However, allowable administrative expenses likely include, among others, the value of City staff, including employee retirement and other benefits, necessary for the administration and operations of the Successor Agency; and the cost of other resources of the City necessary for the administration and operations of the Successor Agency, such as office space, supplies, equipment, utilities, and insurance. Staff recommends that the Successor Agency and the City enter into an agreement whereby the City will advance these costs to the Successor Agency.

AB X1 26 provides for an "Administrative Cost Allowance" to annually be paid to the Successor Agency of not less than \$250,000 a year (although this likely will not commence until fiscal year 2012-13). However, in the event there are insufficient funds to pay the former Redevelopment Agency's enforceable obligations, some or all of the Administrative Cost Allowance will be used to pay for the enforceable obligations, and these funds will not be available for administrative expenses of the Successor Agency.

The Administrative Cost Allowance will exclude any administrative costs that can be paid from bond proceeds or from sources other than property tax. However, the use of bond proceeds to pay administrative expenses is subject to certain limitations.

The attached Resolution approves the Cooperative Agreement for Advance and Reimbursement of Administrative, Overhead and Other Expenses between the City and the Successor Agency attached as Exhibit A to the Resolution. The Cooperative Agreement provides for the Successor Agency to use the City's staff, facilities, and other resources for the administration and operations of the Successor Agency and for the Successor Agency to reimburse the City for such advances. The Agreement must be approved by the Oversight Board.

There will be no new environmental impact associated with adoption of the attached resolution.

Fiscal Impact:

As discussed above, AB X1 26 provides for the Successor Agency to receive an annual Administrative Cost Allowance of not less than \$250,000 (but likely not until fiscal year 2012-13). However, the allowances are subject to

reduction if there are insufficient funds to pay the former Redevelopment Agency's enforceable obligations.

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE MANTECA REDEVELOPMENT AGENCY APPROVING THE EXECUTION OF A COOPERATIVE AGREEMENT FOR ADVANCE AND REIMBURSEMENT OF ADMINISTRATIVE, OVERHEAD AND OTHER EXPENSES BY AND BETWEEN THE SUCCESSOR AGENCY AND THE CITY OF MANTECA; AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

RECITALS:

A. Pursuant to Part 1.85 of the Community Redevelopment Law (commencing with Health and Safety Code Section 34170) (“Part 1.85”), the Successor Agency to the Manteca Redevelopment Agency (“Successor Agency”) is required to undertake a number of actions related to winding down the affairs of the former Redevelopment Agency pursuant to Health and Safety Code Section 34177(h).

B. In connection with the administration and operations of the Successor Agency, the Successor Agency is and will be utilizing the staff, facilities, and other resources of the City. The City Manager of the City serves as Executive Director of the Successor Agency, the Finance Director serves as Finance Officer of the Successor Agency, and the City Clerk serves as Secretary to the Successor Agency. Planning, finance, engineering, public works, and other City departments devote and are expected to devote substantial time with respect to the administration and operations of the Successor Agency, including gathering information relating to the Redevelopment Agency’s enforceable obligations, conferring with public officials representing governmental agencies, and undertaking other activities in connection with administration and operations of the Successor Agency.

C. By providing and making available to the Successor Agency the staff, facilities, services, and other resources of the City, including, without limitation, consultants, legal counsel, office space, equipment, supplies, and insurance, necessary to the administration and operations of the Successor Agency, the City has advanced and will continue to advance the cost of the foregoing to the Successor Agency. The City and the Successor Agency desire to enter into an agreement to provide for an appropriate method of reimbursement of such advances by the Successor Agency to the City.

D. Pursuant to Health and Safety Code Section 34171(d)(1)(F), contracts or agreements necessary for the administration or operation of the Successor Agency are enforceable obligations and pursuant to Health and Safety Code Sections 34178(a) and 34180(h), the Successor Agency may enter into agreements with the City with the approval of the oversight board for the Successor Agency (the “Oversight Board”).

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE MANTECA REDEVELOPMENT AGENCY HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. This Resolution is adopted pursuant to the provisions of Part 1.85.

Section 3. The Board hereby approves the Cooperative Agreement for Advance and Reimbursement of Administrative, Overhead and other Expenses by and between the Successor Agency and the City attached hereto as Exhibit A and incorporated herein by reference (the "Agreement") and the Chair and Executive Director are hereby authorized and directed, acting singly, to execute the Agreement.

Section 4. The officers and staff of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution, and any such actions previously taken by such officers and staff are hereby ratified and confirmed.

DATED:

ROLL CALL:

AYES:

NOES:

ABSENT:

ABSTAIN:

**WILLIE W. WEATHERFORD
CHAIRMAN**

ATTEST:

**JOANN TILTON, MMC
AGENCY SECRETARY**

EXHIBIT A

Cooperative Agreement for Advance and Reimbursement of
Administrative, Overhead and other Expenses

COOPERATIVE AGREEMENT FOR ADVANCE AND REIMBURSEMENT OF
ADMINISTRATIVE, OVERHEAD AND OTHER EXPENSES

This COOPERATIVE AGREEMENT FOR ADVANCE AND REIMBURSEMENT OF ADMINISTRATIVE, OVERHEAD AND OTHER EXPENSES (this "Agreement") is entered into as of February 1, 2012, by and between the City of Manteca the "City") and the Successor Agency to the Manteca Redevelopment Agency (the "Successor Agency").

RECITALS:

- A. The Successor Agency is required to undertake a number of actions pursuant to Part 1.85 of the Community Redevelopment Law (commencing with Health and Safety Code Section 34170) ("Part 1.85"), including winding down the affairs of the former Manteca Redevelopment Agency ("Agency") pursuant to Health and Safety Code Section 34177(h).
- B. Pursuant to Health and Safety Code Section 34171(d)(1)(F), contracts or agreements necessary for the administration or operation of the Successor Agency are enforceable obligations.
- C. Pursuant to Health and Safety Code Sections 34178(a) and 34180(h), with the approval of the oversight board, the Successor Agency may enter into agreements with the City.
- D. In connection with the administration and operations of the Successor Agency, the Successor Agency is and will be utilizing the staff, facilities, and other resources of the City.
- E. The City Manager of the City serves as Executive Director of the Successor Agency, the Finance Director serves as Finance Officer of the Successor Agency, and the City Clerk serves as Secretary to the Successor Agency. Planning, finance, engineering, public works, and other City departments devote and are expected to devote substantial time with respect to the administration and operations of the Successor Agency, including gathering information relating to the Agency's enforceable obligations, conferring with public officials representing governmental agencies, and undertaking other activities in connection with winding down the affairs of the Agency.
- F. By providing and making available to the Successor Agency the staff, facilities, services, and other resources of the City, including, without limitation, consultants, legal counsel, office space, equipment, supplies, and insurance, necessary to the administration and operations of the Successor Agency, the City has advanced and will continue to advance the cost of the foregoing to the Successor Agency.
- G. The City and the Successor Agency desire to enter into this Agreement to acknowledge the foregoing recitals and to provide for an appropriate method of reimbursement of such advances by the Successor Agency to the City.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

Section 1. The City shall make available to the Successor Agency its staff, facilities, services, and other resources, including, without limitation, consultants, legal counsel, office space, equipment, supplies, and insurance, necessary to the administration and operations of the Successor Agency. The Successor Agency shall have access to the foregoing staff, facilities, services, and other resources of the City.

Section 2. The value of the City staff, including all employee retirement and other benefits, facilities, services, and other resources of the City, including, without limitation, office space, equipment, supplies, and insurance, necessary to the administration and operations of the Successor Agency made, and to be made, available to the Successor Agency for each six-month fiscal period beginning with the fiscal period commencing on January 1, 2012 and ending on June 30, 2012, determined in accordance with Section 3 hereof, shall constitute an advance to the Successor Agency by the City for each six-month fiscal period, to be repaid in accordance with Section 4 of this Agreement.

Section 3. The City Manager has prepared a cost accounting plan attached hereto as Exhibit A and incorporated herein by reference, based upon reasonable allocations and generally accepted cost accounting principles, documenting the value of the City staff, including all employee retirement and other benefits, and the facilities, services, and other resources of the City made, or to be made available, to the Successor Agency pursuant to Section 1 hereof for each six-month fiscal period beginning with the fiscal period commencing on January 1, 2012 and ending on June 30, 2012. For each six month fiscal period, or such other times as the City Manager deems appropriate, the City Manager shall review the cost accounting plan for its accuracy in reflecting the value of City staff and resources advanced to the Successor Agency. The City Manager shall revise the cost accounting plan as he or she determines is necessary based on such periodic review.

Section 4. Within a reasonable time following the end of each six month fiscal period, beginning with the fiscal period commencing on January 1, 2012 and ending on June 30, 2012, the Successor Agency shall pay the City the amount of the reimbursement set forth in Exhibit A from available funds of the Successor Agency. In the event that insufficient funds are available to the Successor Agency, any unpaid amounts shall be carried over to the next six-month fiscal period.

Section 5. The parties hereto agree to take all appropriate steps and execute any documents which may reasonably be necessary or convenient to implement the intent of this Agreement.

Section 6. Each party shall maintain books and records regarding its duties pursuant to this Agreement. Such books and records shall be available for inspection by the officers and agents of the other party at all reasonable times.

Section 7. This Agreement is made in the State of California under the Constitution and laws of the State of California, and is to be so construed.

Section 8. This Agreement will be become effective upon approval of the Oversight Board to the Successor Agency.

Section 9. This Agreement may be amended at any time, and from time to time, by an agreement executed by both parties to this Agreement and approved by the Oversight Board to the Successor Agency.

SUCCESSOR AGENCY TO THE MANTECA
REDEVELOPMENT AGENCY

By _____
Chairman

ATTEST:

Agency Secretary

CITY OF MANTECA

By _____
Mayor

ATTEST:

City Clerk

APPROVED:

Oversight Board of the Successor
Agency to the Manteca
Redevelopment Agency

Date

Exhibit A**Cooperative Agreement for the Advance and Reimbursement of Administrative Overhead and Expenses
Cost Allocation Plan for Reimbursement of Salaries**

Department	Position	% Allocation of Salaries and Benefits
City Management	City Manager	25%
Finance	Finance Director	20%
	Deputy Finance Director	10%
	Senior Accounting Technician	3%
	Senior Accounting Technician	4%
	Payroll Technician	5%
	Project Analyst(2)	4%
City Clerk/Legislative	City Clerk	25%
	Project Analyst (City Clerk)	30%
	Administrative Technician	10%
	Administrative Assistant I	10%
Human Resources & Risk Mgmt	Admin Services Director	3%
	Administrative Assistant (2)	3%
	Administrative Technician	3%
	Human Resources Manager	3%
Information Technology	GIS Analyst	5%
	GIS Specialist II	3%
	Information Tech Manager	5%
	IT Systems Engineer	1%
	IT Systems Engineer	5%
	Network Technician II	5%
Community Development	Planning Manager	30%
	Assistant Planner (2)	30%
	Senior Planner (2)	30%
	Administrative Assistant	30%
Economic Development	Economic Development Manager	100%
Building Safety	Senior Plan Check Engineer	30%
	Building Inspectors (4)	30%
Engineering	Public Works Director	5%
	Deputy Director Construction	5%
Code Enforcement/Fire Inspection	Code Enforcement Supervisor	100%
	Fire Inspector	100%

Additional support costs for professional services and materials/supplies will be assessed based on the approved Administrative Budget.

