

Special District Representation and Countywide Oversight Boards

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Community Redevelopment Law

- Objectives:
 - Eliminate “blight” in redevelopment project areas under redevelopment plans
 - Provide funding for low- and moderate-income housing
- Redevelopment Agencies
 - Originally enacted 1951: Health & Saf. Code, § 33000 et seq.
 - Formed by a city or county
 - Creates of redevelopment project areas
 - Adopts, amends, and implements redevelopment plans
 - Uses tax increment financing
 - Allocates property tax increments among affected taxing entities

Redevelopment Agency Dissolution

- Legislature dissolved RDAs effective February 1, 2012
- Provides for the implementation of existing “enforceable obligations” by “successor agencies”
- Successor agencies assumed the obligations of the dissolved RDA as separate legal entities
- Oversight boards established to review successor agency actions
- State Controller, the county auditor-controllers, and the Department of Finance review and approve successor agency and oversight board actions

Redevelopment Agency Dissolution

- Required the return to the successor agencies of cash and other assets that former RDA transferred to the sponsoring jurisdiction or to other public or private entities absent the existence of an enforceable obligation mandating the transfer
- Wind-up allowed successor agencies to use bond proceeds and repay loans and retain, use, and dispose of real property assets
- Fund balances distributed to schools and other taxing entities
- Redevelopment Property Tax Trust Fund (RPTTF)
 - Special districts receive ~ \$316M in RPTTF funds

Oversight Boards

- Each successor agency has its own oversight board, which reviews and approves its activities
- Composed of 7 members:
 - 2 appointed by the mayor of the city that formed the RDA
 - Including 1 representative of former RDA's employees
 - 2 appointed by the county board of supervisors
 - Including 1 public member
 - 1 appointed by the county superintendent of education or county board of education;
 - 1 appointed by the Chancellor of the California Community Colleges; and
 - 1 appointed by the special district that receives the largest share of property tax within the jurisdiction of the former agency.

Oversight Boards

- Over 400 in the State
- Subject to the Brown Act, the California Public Records Act, and the Political Reform Act
- Have a fiduciary duty to the holders of enforceable obligations and the taxing entities
- Subject to review by the State Department of Finance, with a few specified exceptions
- Cease to exist when the successor agency has been formally dissolved

Countywide Oversight Boards

- Beginning in July 2018, only one oversight board will operate in each county
 - Except LA County—5 oversight boards
 - 1 per county board of supervisors districts
- Staffed by county auditor-controller or specified designee
- If only 1 oversight board exists in a county, then no change in composition
- Ceases to exist when all successor agencies in county are formally dissolved

Countywide Oversight Boards

- Composed of 7 members:
 - 2 appointed by county board of supervisors
 - Including 1 public member
 - 1 appointed by the city selection committee under GC § 50270
 - 1 appointed by the union for the largest number of former RDA's employees
 - 1 appointed by the county superintendent of education or county board of education
 - 1 appointed by the Chancellor of the California Community Colleges
 - 1 appointed by the independent special district selection committee under GC § 56332, "for the types of special districts that are eligible to receive property tax revenues"
- Governor may appoint if not filled by July 15, 2018

Special District Representation

- Independent Special District Selection Committee
 - Presiding officer of the legislative body of each independent special district or district-appointed alternate. GC § 56332(a)
- LAFCo EO calls and gives written notice of meetings of special district selection committee
 - May conduct selection committee business by mail
 - EO calls for nominations
 - EO prepares & delivers ballots of 2 or more nominees
 - Quorum of special districts must submit valid ballots
 - EO announces results

Special District Representation

- Eligibility:
 - Elected or appointed members of legislative body of an independent special district in the county
 - Current OB reps need not be on special district legislative body
 - Cannot be county supervisor or city councilmember
 - From a special district located within a former RDA area?
 - Current OB reps must be in former RDA and receive RPTTF
 - “One member may be appointed by the independent special district selection committee established pursuant to Section 56332 of the Government Code, **for the types of special districts that are eligible to receive property tax revenues pursuant to Section 34188.**” Health & Saf. Code, § 34179(j)(3) (emphasis added).

Questions and Answers

