

**NOTICE OF SPECIAL MEETING
COUNTY OF SAN DIEGO
COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD**

**TELECONFERENCE MEETING
JANUARY 13, 2022 9:00 A.M.**

Attendance by Virtual Meeting Made Available

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Statement of Proceedings / Minutes of December 16, 2021
- E. Formation of Consent Calendar
- F. Public Communication Speakers: Members of the public may address the Oversight Board on subject matters within the Board's jurisdiction, but not an item on this agenda. Each speaker is limited to three minutes.
- G. Discussion Item(s)
 - 1. Special Teleconferencing Rule Specified Under AB 361
- H. Action Item(s)
 - 1. Adopt a resolution entitled A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCEING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD
- I. Communications Received
- J. Future Agenda Item(s)
- K. Set Future Meeting Date(s)

Dated: Jan. 5, 2022

**COUNTY OF SAN DIEGO
COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD**

**JANUARY 13, 2022 9:00 A.M. SPECIAL (TELECONFERENCE) MEETING
AGENDA**

Attendance by Virtual Meeting made available

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Statement of Proceedings / Minutes of December 16, 2021
- E. Formation of Consent Calendar
- F. Public Communication Speakers: Members of the public may address the Oversight Board on subject matters within the Board's jurisdiction, but not an item on this agenda. Each speaker is limited to three minutes.
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- I. Communications Received
- J. Future Agenda Item(s)
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Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcounty.ca.gov/community/san-diego-county-oversight-board.html> or in the Health & Human Services Agency's Financial & Support Services Division, 1255 Imperial Avenue, 6th Floor, San Diego, CA 92101.

ASSISTANCE FOR THE DISABLED:

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L. Adjournment

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**COUNTY OF SAN DIEGO
COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD**

**REGULAR (TELECONFERENCE) MEETING
DECEMBER 16, 2021 10:00 A.M.**

Attendance by Virtual Meeting made available

A. Call to Order at 10:00 a.m.

B. Roll Call

County staff did a roll call of each OB member to indicate present or non-present during the virtual meeting:

PRESENT: Board Members: Brian Hagerty, Mark Baker, Scott Buxbaum, Bonnie Dowd, and Samuel Merrill

Other Attendees: George Eiser, Attorney at Law; Ardee Apostol, Assistant Finance Director; Max Endoso, Principal Admin Analyst; Christina Holmes, Director of Finance for City of Escondido

ABSENT: William Baber

C. Pledge of Allegiance

D. Approval of Statement of Proceedings / Minutes of November 18, 2021

On motion of Board Member Dowd and seconded by Buxbaum, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD approved the minutes of the November 18, 2021 meeting. *County staff did a roll call vote of each OB member to indicate approval or non-approval during the virtual meeting.* **Motion passed.**

AYES: Hagerty, Buxbaum, Dowd and Merrill

ABSTAIN: Baker

ABSENT: Baber

E. Formation of Consent Calendar

Items to which no opposition has been expressed by the public or this body may be placed on the Consent Calendar to be voted on without discussion.

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The County staff informed this body that no items have been placed on the Consent Calendar.

- F. **Public Communication Speakers:** Members of the public may address the Oversight Board on subject matters within the Board's jurisdiction, but not an item on this agenda. Each speaker is limited to three minutes.

County staff informed this body that we have no one who responded for public communication. We have no Public Communication Speakers. We made it potentially available on the OB website.

G. **Discussion Item(s)**

1. The Escondido Successor Agency requests approval of the execution and delivery by the Successor Agency to the Escondido Community Development Commission of an amendment to the Joint Exercise of Powers Agreement of the Escondido Joint Powers Financing Authority withdrawing the former redevelopment agency from the joint powers agreement.

Christina Holmes, Director of Finance for City of Escondido, provided a brief overview of the requested action. The joint powers financing authority was formed with the city and the former community development Commission back in the early 1990s. A joint powers financing authority it's a fairly common practice and authority that does exist with many agencies. The action today is at the recommendation of the City's Bond Counsel. By the very nature of the dissolution law and that the successor agency does have an end date, the action is simply to remove the former community development Commission from the City's joint powers financing authority and as our City Council has taken action to replace the former Commission with a community facilities district that the city already has in place. The action today has no fiscal impact and it does not accelerate the dissolution of the agency in any way that it is one of the steps necessary in this process.

Chair Hagerty asked the Board Member for any questions on this item.

Question from Board Member Dowd: Was there any resistance or concern expressed by anyone in the Escondido community?

Response from Christina Holmes: The item was approved on October 27th at the meeting, there was no comments or concerns and passed unanimously by the Council.

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Question from Chair Hagerty: Is there any connection between this action and what this Oversight Board encountered? The objection was from the school district in that area when there was potential that an item was going to be paid off early and therefore the successor agency was going to be closed earlier than expected?

Response from Christina Holmes: This particular item is not related. This item came separate from that engagement and directly from the city council that was not involved with those discussions. However, you will see that when the city brings our ROPS schedule in January, our successor agency has no bond obligations left we are down to just one advance repayment. We are very close to being able to dissolve and those conversations with the school districts are ongoing and attorneys with both sides have been having ongoing discussions the school districts are aware of this item today, have been fully informed of every process in every step and every action and so I will have more details with the January meeting on the ROPS some kind of an update with that situation. This is more for a city administrative bond capital financing.

2. Special Teleconferencing Rule specified under AB 361

Chair Hagerty provided background. Our special teleconferencing specified under Assembly Bill 361. AB 361 requires the Board to meet at least every 30 days to decide if the prevailing conditions continue to exist that permit the Board to continue teleconferencing for regular and special meetings, if necessary. Essentially what is going on here is, we still have the public health order in effect as you can see with circumstances with the Omicron variant and so forth and the state now issuing mask rules for indoors until January 15, 2022. It's our assessment that all the conditions that existed in the previous approval of the continuous teleconferencing for this Board still exist.

H. Action Item(s)

1. Adopt a resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING THE EXECUTION AND DELIVERY BY THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF ESCONDIDO OF AN AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT OF THE ESCONDIDO JOINT POWERS FINANCING AUTHORITY

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcounty.ca.gov/community/san-diego-county-oversight-board.html> or in the Health & Human Services Agency's Financial & Support Services Division, 1255 Imperial Avenue, 6th Floor, San Diego, CA 92101.

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ON MOTION of Board Member Dowd; seconded by Buxbaum THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD recommended approval of EXECUTION AND DELIVERY BY THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF ESCONDIDO OF AN AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT OF THE ESCONDIDO JOINT POWERS FINANCING AUTHORITY. **Motion passed.**

County staff did a roll call vote of each OB member to indicate approval or non-approval during the virtual meeting:

AYES: Hagerty, Baker, Buxbaum, Dowd and Merrill

ABSENT: Baber

2. Adopt a resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

ON MOTION of Board Member Dowd; seconded by Baker THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD recommended authorizing SPECIAL TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD. **Motion passed.**

County staff did a roll call vote of each OB member to indicate approval or non-approval during the virtual meeting:

AYES: Hagerty, Baker, Buxbaum, Dowd and Merrill

ABSENT: Baber

ON MOTION of Board Member Baker, seconded by Dowd, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD a scheduled a

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special meeting on January 13, 2022, 9:00 a.m to comply with the Special Teleconferencing Rule specified under AB 361. **Motion passed.**

County staff did a roll call vote of each OB member to indicate approval or non-approval during the virtual meeting:

AYES: Hagerty, Baker, Buxbaum, Dowd and Merrill

ABSENT: Baber

I. Communications Received

There were no public communications received since the last meeting.

J. Future Agenda Item(s): Special Teleconferencing Rule specified under AB 361, Election of Officers, Approval of the Recognized Obligation Payment Schedule (ROPS) 22-23 and Administrative Budget for all seventeen (17) Successor Agencies

K. Set Future Meeting Date(s): January 13, 2022, 9:00 a.m. and January 20, 2022, 10:00 a.m.

L. Adjournment: 10:27 a.m.

ON MOTION of Board Member Dowd, seconded by Buxbaum, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD adjourned the meeting with no further business to be conducted.

County staff did a roll call vote of each OB member to indicate approval or non-approval during the virtual meeting:

AYES: Hagerty, Baker, Buxbaum, Dowd and Merrill

ABSENT: Baber

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COUNTY OF SAN DIEGO

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

WILLIAM BABER

MARK BAKER

SCOTT BUXBAUM

DR. BONNIE DOWD

BRIAN HAGERTY

SAMUEL MERRILL

VICTORIA WHITE

DATE: January 13, 2022

01

TO: Countywide Redevelopment Successor Agency Oversight Board

SUBJECT: A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

SUMMARY:

Overview

On January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus. On February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020.

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed. On June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021. On September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may use revised teleconference rules provided under section 53593(e) if the legislative body makes certain findings and those findings are reconsidered every thirty (30) days, as applicable.



COUNTY OF SAN DIEGO

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

WILLIAM BABER
MARK BAKER
SCOTT BUXBAUM
DR. BONNIE DOWD
BRIAN HAGERTY
SAMUEL MERRILL
VICTORIA WHITE

On or about September 23, 2021, Dr. Wilma Wooten, the County of San Diego’s Public Health Officer issued a letter recommending the utilization of teleconferencing options for public meetings as an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 virus (the “Teleconferencing Recommendation”).

In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, this legislative body deems it necessary to take action for purposes of utilizing the provisions of AB 361 related to teleconferencing.

Recommendation(s)

1. Adopt the resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

Fiscal Impact

There is no fiscal impact associated with the requested action.

BACKGROUND:

A novel coronavirus (COVID-19) was detected in Wuhan City, Hubei Province in China in December 2019. Since then, the World Health Organization (WHO), and the U.S. Department of Health and Human Services (HHS) have declared COVID-19 a public health emergency. On January 30, 2020, the WHO declared the outbreak a “public health emergency of international concern.” On January 31, 2020, HHS Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19. Since then, the virus has spread rapidly across the globe, resulting in the WHO declaring COVID-19 a pandemic on March 11, 2020.



COUNTY OF SAN DIEGO

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

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SAMUEL MERRILL

VICTORIA WHITE

On February 14, 2020, the San Diego County Public Health Officer issued a Declaration of Local Health Emergency, pursuant to California Health and Safety Code Section 101080. Additionally, on that day, pursuant to California Government Code 8630, the Chief Administrative Officer (CAO), serving as the County of San Diego's (County) Director of Emergency Services and as the Coordinator of the Unified San Diego County Emergency Services Organization, issued a Proclamation of Local Emergency regarding COVID-19. The requirements to renew the Declaration of Local Health Emergency and Proclamation of Local Emergency for COVID-19 were waived on March 4, 2020, due to the Proclamation of a State of Emergency for California by Governor Gavin Newsom. On March 19, 2020, the State of California public health officials issued an order for anyone living in the State to stay home, except for those providing essential services.

As with other areas throughout the nation, there is community transmission of COVID-19 in San Diego County. The County has made significant efforts to "flatten the curve," slowing down the spread of the virus, which in turn helps to avoid an increase in the cases that overwhelm the healthcare system. For this reason, the San Diego County Public Health Officer continues to issue and amend Public Health Orders to enhance efforts to protect the health of the public.

Respectfully submitted,

ARDEE APOSTOL
Assistant Finance Director, HHS-A-FSSD



COUNTY OF SAN DIEGO

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

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VICTORIA WHITE

ATTACHMENT(S)

A – Resolution No. OB-2022-001

AGENDA ITEM INFORMATION SHEET

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

MANDATORY COMPLIANCE:

N/A

CONTACT PERSON(S):

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Resolution No: OB-2022-001

Meeting Date: 1/13/2022

A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT
SUCCESSOR AGENCY OVERSIGHT BOARD AUTHORIZING SPECIAL
TELECONFERENCING RULE UNDER AB 361 PURSUANT TO GOVERNMENT
CODE SECTION 54953 FOR THE COUNTYWIDE REDEVELOPMENT
SUCCESSOR AGENCY OVERSIGHT BOARD

WHEREAS, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named "SARS-CoV-2," and the disease it causes has been named "coronavirus disease 2019," abbreviated COVID-19, ("COVID-19"); and

WHEREAS, on January 30, 2020, the World Health Organization ("WHO") declared a Public Health Emergency of International Concern as a result of the COVID-19 virus. On January 31, 2020, the United States Secretary of Health and Human Services also declared a Public Health Emergency of the COVID-19 virus; and

WHEREAS, on February 14, 2020, the San Diego County Health Officer declared a Local Health Emergency as a result of the COVID-19 virus, which was subsequently ratified by the Board of Supervisors on February 19, 2020; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency ("State of Emergency") pursuant to section 8625 of the California Emergency Services Act, in response to the COVID-19 pandemic; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the "Brown Act"), provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 which provides that a legislative body subject to the Brown Act may use revised teleconference rules provided under section 53593(e) if the legislative body makes certain findings and those findings are reconsidered every thirty (30) days, as applicable; and,

WHEREAS, the proclaimed State of Emergency remains in effect; and,

WHEREAS, the California Occupational Safety and Health Standards Board adopted California Code of Regulations, Title 8, Section 3205 which states, "particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19, but are most effective when used in combination;" and

Resolution No: OB-2022-001

Meeting Date: 1/13/2022

WHEREAS, on or about September 23, 2021, Dr. Wilma Wooten, the County of San Diego's Public Health Officer issued a letter recommending the utilization of teleconferencing options for public meetings as an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 virus (the "Teleconferencing Recommendation"); and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, this legislative body deems it necessary to take action for purposes of utilizing the provisions of AB 361 related to teleconferencing;

NOW, THEREFORE, BE IT RESOLVED, by the San Diego Countywide Redevelopment Successor Agency Oversight Board as follows:

1. The recitals set forth above are true and correct and form the basis for the finding of this Resolution.
2. This legislative body finds that there is an existing proclaimed State of Emergency and state and local officials have imposed or recommended measures to promote social distancing, including but not limited to the Teleconferencing Recommendation.
3. In order to satisfy the requirements of Section 54953(e)(3) of the Brown Act, which allows local legislative bodies to continue utilizing simplified teleconferencing options under the Brown Act if certain findings are made no later than thirty (30) days after such simplified teleconferencing options are first used, County staff is directed, to the extent reasonably feasible, to return no later than thirty (30) days after the adoption of this Resolution with an item for this legislative body's reconsideration of these findings.
4. County staff is directed to take any other necessary or appropriate actions to implement the intent and purposes of this Resolution.
5. This finding is intended to apply to all of the legislative body subcommittees this legislative body has created.
6. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on January 13, 2022.

Approved as to Form and Legality
By Steven Mattas, Oversight Board Counsel

Chair, Oversight Board