

**COUNTY OF SAN DIEGO  
COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD  
REGULAR (TELECONFERENCE) MEETING  
FEBRUARY 17, 2022 10:00 A.M.  
MINUTES**

Attendance by Virtual Meeting made available  
Zoom Link: <https://zoom.us/j/91384488806>  
Phone Option: 1-669-900-9128; Webinar ID: 913 8448 8806

A. Call to Order at 10:01 a.m.

B. Roll Call

**PRESENT: Board Members:** Brian Hagerty, William Baber, Mark Baker, Scott Buxbaum, Bonnie Dowd, Samuel Merrill, and Victoria White

**Other Attendees:** Claire Lai, Attorney at Law; Max Endoso, Principal Admin Analyst

C. Pledge of Allegiance

D. Approval of Statement of Proceedings / Minutes of January 20, 2022

On motion of Board Member Baber and seconded by Buxbaum, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD approved the minutes of the January 20, 2022 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, Baber, Baker, Buxbaum, Dowd, Merrill and White

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.***

No items were 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. Comments for items on this agenda will be taken as each item comes up. Each speaker is limited to three minutes.

One Speaker Slip received as of 9:00 a.m from Joe Haeuslerr.

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, 6<sup>th</sup> Floor, San Diego, CA 92101.

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*My name is Joe Haeussler with Pendulum Property Partners. We are joint venture partners with the Seligman Group and I oversee San Diego real estate holdings for Pendulum and Seligman. Seligman Liberty Station LLC, we'll call it Seligman, is the ground lessee of several subject parcels at Liberty Station. We are the owner of the fully developed retail and restaurant, set of buildings located there. We purchased the 327,000 ft.<sup>2</sup> developed and leased, they were completely fully developed leased buildings, and we purchased them in November 2018.*

*They include Vons, Trader Joe's, the Stone Brewing Company building, the golf course, the Corvette diner. Most of the retail and restaurant on Liberty Station are in our holdings. On March 3<sup>rd</sup> we made an offer to the City of San Diego as Successor Agency to the dissolved City of San Diego Redevelopment Agency to buy the underlying fee to the subject parcels. Seligman made the offer because we believe it's in the best interest of the Liberty Station, the City and the taxing agencies. We'll call them the ATEs which stand to get 83% of the sale proceeds under the Dissolution Act. In August 21 the City rejected our offer. We believe that neither the City nor the ATEs has anything to gain by holding the ownership of the fee interest for the subject parcel and there's no further rent payable during the 66-year ground lease that's in place there. More importantly, the City's continued ownership violates the Dissolution Act.*

*The Subject Parcels were misclassified as "Future Development" in the long-range property management plan ("ARPMP") even though all of the Subject Parcels were fully developed when the ARPMP was approved and each was subject to a 66-year ground lease. Also noteworthy, the ARPMP required the City to enter compensation agreements with the ATEs to compensate them in accordance with their proportional shares of base tax revenues for the Subject Parcels. If a compensation agreement was not entered with respect to a parcel, the ARPMP required the parcel to be sold. No such compensation agreements have been entered. We intent to file a petition for writ of mandate challenging the City's rejection of our offer and the refusal to sell the completed properties and other similarly situated properties to the sale mandate of the Dissolution Act and we offer ourselves up if somebody wants some information in my online submittal. I've made a list of the properties that we own at Liberty Station and we just wanted to ensure that you were aware of the facts with our petition and our desire to see the ground lease position sold.*

*Chair Hagerty: OK perfect. We are at three minutes, so we are not allowed to go into discussion detail discussion on the item but we can certainly consider for future agenda items we have your written materials. I will distribute those to the Board for review and we will also just to let you know Mr. Haeussler. We are looking at a regular scheduled March 17 for the next Oversight Board meeting at which point it's quite possible to entertain adding this item to the agenda for discussion, for further documentation in detail to be available. So, we will will take that under consideration and certainly appreciate your participation. I have the reflex of asking questions from the Board but I have been advised that this is not a discussion item therefore, we won't go on to any further details. Thank you for participating today.*

#### G. Discussion Item(s)

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## 1. Special Teleconferencing Rule specified under AB 361

*Chair Hagerty: So now would like to move onto discussion item special teleconference G-1, this is the decision to continue meeting remotely through teleconferencing environment for the next 30 days which would in fact cover the next meeting regularly scheduled for March 17 that's within the 30-day from today because February is a short month. First, let's entertain a motion to approve that resolution and then we'll have a discussion. So under action item H1, I would like to have a little bit of discussion about where we stand today regarding the teleconferencing for this particular board. To give you a little background. I found out the County Board of Supervisors intends to go back to at least a hybrid model I believe starting March 15th for their regular meeting. But they of course will still continue to have the remote participation available as an option. To my knowledge the public health order is still in effect. So that circumstances have not changed. Yes it is true that the mask guidelines effective yesterday from the State have changed slightly. It's been a little bit more relaxed now but beyond the public health order does still exist. So do you have anything you want to comment or any questions?*

*Member White: I just add that as an employee of San Diego I'm still working from home and the orders are for my particular department and I believe for the City of San Diego except for critical workers at this point has not changed at this point in time. Although I understand that the San Diego City Council is also considering going back to a hybrid model at this time.*

*Member Dowd: Respectfully, number 1, similar to Vickie, we're not quite back fully, we're moving in that direction next month. Next week, I think it's a minimum of 3 days a week. So were' kind of slowly getting everybody back. My main concern quite honestly, is that, I've been appointed to a Statewide Board through June 3. Every year of service ends in June. I have 3 meeting on this Thursday of each month at 9:30. So I've been to the first, left them join you guys. I was here on time about to get out of this one and go to the next one. If we go back in person, it will be very difficult for me to continue serving.*

*Chair Hagerty: Understood.*

*Member Baker: Mr. Chair, Mark Baker*

*Chair Hagerty: Yes, Mark.*

*Member Baker: I was gonna reserved this question to item J, Future Agenda Items, but in consideration of Dr. Dowd and maybe some other Board Members, I would suggest maybe a future agenda item would be to discuss changing the day of the month or the week to accommodate our Board Members, if possible in a more favorable fashion.*

*Chair Hagerty: Ok, we will certainly when we get to the future agenda items and also there's another agenda item that pertains to future meeting set dates. We'll definitely entertain this at that point. So for the current agenda item we are trying to determine whether to remain in teleconferencing venue or environment for the next 30 days under Assembly Bill 361 but we certainly appreciate the comments that 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, 6<sup>th</sup> Floor, San Diego, CA 92101.*

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*the schedule is becoming a bit more challenging especially with other responsibilities. County staff will send survey to Board members of upcoming meeting dates and times to determine alternate dates or times that will work best for all Board members.*

H. Action Item(s)

1. 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 member Baber, seconded by Dowd THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD adopted a resolution authorizing special teleconferencing rule under AB 361 pursuant to Government Code section 54953 for the Board to continue meeting remotely.

AYES: Hagerty, Baber, Baker, Buxbaum, Dowd, Merrill and White

- I. Communications Received: There is no other communications received as of 10:00 a.m.
- J. Future Agenda Item(s): Amend by-laws to remove Secretary position, LRPMP Updates, Special Teleconferencing Rule specified under AB 361, Pendulum Property Partners re Liberty Station parcels.
- K. Set Future Meeting Date(s): March 17, 2022 10:00 a.m., April 14, 2022 9:00 a.m., April 21, 2022 10:00 a.m., May 19, 2022 10:00 a.m.
- L. Adjournment at 10:32 a.m.

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