

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

**REGULAR MEETING
September 19 2024, 10:00 A.M.
AT 1600 PACIFIC HIGHWAY, SAN DIEGO, ROOM 402A
AGENDA**

Attendance by Virtual Meeting made available.

[Zoom Link](#)

Phone Option: 1-669-900-9128; Webinar ID: 827 1364 5735

- A. Call to Order
- B. Roll Call/Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) pursuant to Assembly Bill 2449 by an Oversight Board Member (*if necessary and applicable*)
- C. Pledge of Allegiance
- D. Approval of Statement of Proceedings / Minutes of July 18, 2024
- E. Formation of Consent Calendar – Under this item, the Oversight Board may place action items under Section H on the consent calendar to be voted on in one motion.
- 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 on items on the agenda will be taken as each item comes up. Each speaker is limited to three minutes.
- G. Discussion Item(s)
 - 1. Approval of List Of Independent Appraisal Firms To Provide Real Property Appraisal Services For The Purpose Of Establishing Valuations As May Become Necessary For Implementation Of The Approved Amended And Restated Long Range Property Management Plan Of The Successor Agency To The City Of San Diego Redevelopment Agency.

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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2. Approval of FY 2024-2025 Special Liability Insurance Program (SLIP) Proposal and authorize County staff to seek reimbursement for related expenses in accordance with Health & Safety Code regulations.

H. Action Item(s)

1. Adopt a resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING A LIST OF INDEPENDENT APPRAISAL FIRMS TO PROVIDE REAL PROPERTY APPRAISAL SERVICES FOR THE PURPOSE OF ESTABLISHING VALUATIONS AS MAY BECOME NECESSARY FOR IMPLEMENTATION OF THE APPROVED AMENDED AND RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN OF THE SUCCESSOR AGENCY TO THE CITY OF SAN DIEGO REDEVELOPMENT AGENCY.
2. Adopt a resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING FISCAL YEAR 2024-2025 SPECIAL LIABILITY INSURANCE PROGRAM (SLIP) FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

I. Communications Received:

- J. Future Agenda Item(s): Potential Recognized Obligation Payment Schedule training for new Board Member(s)

- K. Set Future Meeting Date(s): October 17, 2024 10:00 a.m., November 21, 2024, 10:00 a.m., December 19, 2024 10:00 a.m., January 16, 2025 10:00 a.m.

L. Adjournment

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

**REGULAR MEETING
July 18 2024, 10:00 A.M.
AT 1600 PACIFIC HIGHWAY, SAN DIEGO, ROOM 402A
MINUTES**

Attendance by Virtual Meeting made available.

[Zoom Link](#)

Phone Option: 1-669-900-9128; Webinar ID: 827 1364 5735

- A. Call to Order at 10:01 a.m.
- B. Roll Call/Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) pursuant to Assembly Bill 2449 by an Oversight Board Member (*if necessary and applicable*)

PRESENT: Board Members: Brian Hagerty, Patrick Sanchez, Rebecca Jones, Corinne Wilson, Samuel Merrill and Daniel Troy

ABSENT: Scott Buxbaum

Other Attendees: Max Endoso, Principal Admin Analyst, Palmer Hilton, Attorney at Law, Michael Wong, Program Manager, City of San Diego Economic Development Department, Jeff Zinner, Senior Project Manager, Civic Communities and Betty Migliaccio, Assistant Property and Project Manager, Civic Communities

Introduction of New Board Member:

Chair Hagerty introduced Dan Troy, the new board member, providing a detailed overview of his professional background and experience. The board welcomed Dan Troy.

- C. Pledge of Allegiance
- D. Approval of Statement of Proceedings / Minutes of March 21, 2024

On motion of Member Sanchez and seconded by Member Wilson, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD approved the minutes of the March 21, 2024, meeting. Oversight Board staff did a roll call vote of each OB member to indicate approval or non-approval. Motion passed.

AYES: Hagerty, Sanchez, Jones, Merrill, Troy and Wilson

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- E. Formation of Consent Calendar** – Under this item, the Oversight Board may place action items under Section H on the consent calendar to be voted on in one motion. **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 on items on the agenda will be taken as each item comes up. Each speaker is limited to three minutes. *No comments were received by the Board or were presented at the meeting*
- G. Discussion Item(s)**
1. APPROVAL OF A LEASE BETWEEN THE CITY OF SAN DIEGO, SOLELY IN ITS CAPACITY AS THE DESIGNATED SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, AND BRAD AND MARILYN LEVY, INDIVIDUALS DOING BUSINESS AS ALLEN’S FLOWERS AND PLANTS, LLC, FOR RETAIL SPACE LOCATED AT 620 MARKET STREET IN THE EAST VILLAGE NEIGHBORHOOD OF THE DOWNTOWN COMMUNITY PLAN AREA.

Presentation: Jeff Zinner, Civic Communities

Key Points Discussed:

Background Information: Allen’s Flowers has been a tenant in the retail space since 2009. The property is located in the parking on Market garage, which is part of the long-range property management plan and is in the future development category.

Lease Terms: The proposed lease is for three years, with a monthly rent of approximately \$5900. The lease includes annual increases and a security deposit equal to one month’s rent. Additionally, there is a provision for early termination if necessary.

Property Transfer: The parking on Market garage is currently owned by the successor agency due to bond covenants that require the property to be held until the bonds are retired in September 2025. Upon bond retirement, the property will transfer to the City of San

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Diego, and the lease will also be assigned to the city, removing the successor agency from further responsibilities.

Lease Renewal Process: The renewal process includes state Department of Finance (DOF) review. The property transfer, bond retirement, and lease assignment are all factors considered in the lease renewal.

Board Discussion:

Chair Hagerty: Inquired about the bond payoff timeline, which is set for September 2025.

Member Merrill: Asked who conducted the market analysis for the lease. Jeff Zinner confirmed it was done by City of San Diego staff, using relevant data from recent similar processes.

2. Long Range Property Management Plan (LRPMP) Status Update for each Successor Agency

Presentation: The update was provided by county staff, with a summary presented by Chair Hagerty.

Key Points Discussed:

-Overview of Responsibilities: The Oversight Board's role is to ensure that successor agencies are following through on their long-range property management plans (LRPMPs) approved by the State Department of Finance over a decade ago. The board's task is to monitor and report on the progress of these plans, although they do not have the authority to enforce actions.

-Summary of Properties:

- The presentation included a high-level overview of 235 properties managed by various successor agencies.
- Approximately 80% of these properties have completed their planned actions, such as transferring the properties to government entities, selling them, or other intended uses.
- 34 properties remain incomplete in their intended use.

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- Detailed Breakdown:

- The presentation included detailed tables showing the status of properties based on their intended use (e.g., enforceable obligation, future development, governmental use, other, and sale).
- The tables also provided a breakdown by successor agency, indicating which cities still have outstanding issues with their properties.

Specific Properties and Issues:

- City of San Diego:

- Several properties, including Skate World and adjacent property, are under review due to past public controversy and changes in the Surplus Land Act, which affects how these properties can be disposed of.
- The City is working on issuing new requests for proposals (RFPs) or notices of availability for these properties.

- Challenges Faced:

- The presentation highlighted specific challenges, such as the COVID-19 pandemic's impact on development projects and the complexities of meeting Surplus Land Act requirements.
- An example was provided about a property on University Avenue, where a compensation agreement was reached, but the development project fell through, requiring a new process to be initiated.

Board Discussion:

- Member Wilson: Inquired about the properties adjacent to Skate World and the anticipated process for addressing past public outcry and compliance with the Surplus Land Act.
 - Jeff Zinner explained the complexities of the site, including political issues, historic designations, and surplus land regulations.
 - Michael Wong added that they are working through these challenges and focusing on disposing of other properties first before addressing the Skate World site.
- Chair Hagerty: Provided historical context on the role of the Oversight Board and the need for successor agencies to fulfill their LRPMP obligations. He emphasized the

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importance of cooperation between the agencies and the board in resolving outstanding property issues.

Outcome:

No vote was required for this item as it was purely informational. The board acknowledged the update and the ongoing efforts to manage and dispose of the properties in accordance with the LRPMPs. The discussion underscored the importance of continuous monitoring and collaboration to ensure compliance and the effective winding down of successor agency activities.

H. Action Item(s)

1. Adopt a resolution entitled, A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING A LEASE BETWEEN THE CITY OF SAN DIEGO, SOLELY IN ITS CAPACITY AS THE DESIGNATED SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, AND BRAD AND MARILYN LEVY INDIVIDUALS, DOING BUSINESS AS ALLEN'S FLOWERS AND PLANTS, LLC, FOR RETAIL SPACE LOCATED AT 620 MARKET STREET IN THE EAST VILLAGE NEIGHBORHOOD OF THE DOWNTOWN COMMUNITY PLAN AREA.

On motion of Member Jones and seconded by Member Troy, THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD approved A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING A LEASE BETWEEN THE CITY OF SAN DIEGO, SOLELY IN ITS CAPACITY AS THE DESIGNATED SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, AND BRAD AND MARILYN LEVY INDIVIDUALS, DOING BUSINESS AS ALLEN'S FLOWERS AND PLANTS, LLC, FOR RETAIL SPACE LOCATED AT 620 MARKET STREET IN THE EAST VILLAGE NEIGHBORHOOD OF THE DOWNTOWN COMMUNITY PLAN AREA. Oversight Board staff did a roll call vote of each OB member to indicate approval or non-approval. Motion passed.

AYES: Hagerty, Sanchez, Jones, Merrill, Troy and Wilson

2. There is no action item for the Long Range Property Management Plan (LRPMP) Status Update for each Successor Agency.

I. Communications Received: None.

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J. Future Agenda Item(s): Special Liability Insurance Program

K. Set Future Meeting Date(s): August 15, 2024, 10 a.m., September 19, 2024, 10:00 a.m., October 17, 2024 10:00 a.m., November 21, 2024, 10:00 a.m.

L. Adjournment at 10:34 a.m.

DRAFT

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COUNTY OF SAN DIEGO

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

BRIAN HAGERTY

REBECCA JONES

PATRICK SANCHEZ

SCOTT BUXBAUM

DANIEL TROY

SAMUEL MERRILL

CORINNE WILSON

DATE: September 19, 2024

01

TO: Countywide Redevelopment Successor Agency Oversight Board

SUBJECT: APPROVAL OF LIST OF INDEPENDENT APPRAISAL FIRMS TO PROVIDE REAL PROPERTY APPRAISAL SERVICES FOR THE PURPOSE OF ESTABLISHING VALUATIONS AS MAY BECOME NECESSARY FOR IMPLEMENTATION OF THE APPROVED AMENDED AND RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN OF THE SUCCESSOR AGENCY TO THE CITY OF SAN DIEGO REDEVELOPMENT AGENCY

SUMMARY:

Overview

The Successor Agency to the City of San Diego Redevelopment Agency (Successor Agency) must dispose of the real property assets of the former Redevelopment Agency in accordance with its approved Amended and Restated Long-Range Property Management Plan (ARPMP). In order to retain those properties categorized as Retention of the Property for Future Development sites for the purpose of implementing redevelopment objectives as required by the ARPMP and the dissolution legislation, Compensation Agreements must be negotiated with the Affected Taxing Entities (ATEs).

California Health and Safety Code (HSC) Section 34180(f)(2) states “if no other agreement is reached on the valuation of the retained assets, the value will be the fair market value as of the 2011 property tax lien date as determined by an independent appraiser approved by the oversight board.”

SUBJECT: APPROVAL OF LIST OF INDEPENDENT APPRAISAL FIRMS TO PROVIDE REAL PROPERTY APPRAISAL SERVICES FOR THE PURPOSE OF ESTABLISHING VALUATIONS AS MAY BECOME NECESSARY FOR IMPLEMENTATION OF THE APPROVED AMENDED AND RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN OF THE SUCCESSOR AGENCY TO THE CITY OF SAN DIEGO REDEVELOPMENT AGENCY

In order to facilitate implementation of the ARPMP, and to pro-actively satisfy the Section 34180(f)(2) requirement to use an independent appraiser approved by the Oversight Board, the Successor Agency seeks to update its list of qualified independent appraisers.

Recommendation

APPROVE A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING A LIST OF INDEPENDENT APPRAISAL FIRMS TO PROVIDE REAL PROPERTY APPRAISAL SERVICES FOR THE PURPOSE OF ESTABLISHING VALUATIONS AS MAY BECOME NECESSARY FOR IMPLEMENTATION OF THE APPROVED AMENDED AND RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN OF THE SUCCESSOR AGENCY TO THE CITY OF SAN DIEGO REDEVELOPMENT AGENCY

Fiscal Impact

There is no fiscal impact associated with this action.

BACKGROUND:

Pursuant to Assembly Bill 26 (“AB 26”) and Assembly Bill 1484 (“AB 1484”), the Redevelopment Agency of the City of San Diego, a former public body, corporate and politic (“Former RDA”) dissolved on February 1, 2012, at which time the Successor Agency assumed all of the Former RDA’s assets, rights, and obligations under the California Community Redevelopment Law

AB 1484 suspended the urgency provisions contained in the Dissolution Act for the disposition of the Former RDA’s properties and provided more flexibility and consideration of local benefits. It required that successor agencies submit a long range property management plan addressing the disposition and use of the non-housing real properties of the Former RDA for approval by the Oversight Board and the State of California Department of Finance (DOF).

On October 15, 2015, the DOF provided final approval of the Successor Agency’s ARPMP satisfying the statutory requirement that it have in place an approved long range property management plan prior to December 31, 2015. AB 1484, specifically HSC Section 34191.5, required that the use or disposition of all of the subject properties be addressed within the context of four permissible use categories, including:

1. Sale of Property;
2. Retention of the Property for Future Development;
3. Retention of the Property for Governmental Use; and,

SUBJECT: APPROVAL OF LIST OF INDEPENDENT APPRAISAL FIRMS TO PROVIDE REAL PROPERTY APPRAISAL SERVICES FOR THE PURPOSE OF ESTABLISHING VALUATIONS AS MAY BECOME NECESSARY FOR IMPLEMENTATION OF THE APPROVED AMENDED AND RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN OF THE SUCCESSOR AGENCY TO THE CITY OF SAN DIEGO REDEVELOPMENT AGENCY

4. Use of the Property to Fulfill an Enforceable Obligation.

The ARPMP includes 22 sites in the Retention of the Property for Future Development (“Future Development”) category. The Successor Agency has successfully completed the disposition of 11 sites with 11 remaining (Exhibit A).

DISCUSSION: The Successor Agency seeks Oversight Board approval of certain qualified, independent appraisal firms to provide, when needed, requisite real estate appraisal services. Approval of the requested action would update the Successor Agency’s list to replace one firm that is no longer in operation, and to add a number of firms to expand the Successor Agency’s options to complete the required appraisal work in a timely and cost-effective manner.

The recommended firms are as follows:

- Jones, Roach & Caringella, Inc.
- Anderson and Brabant, Inc.
- Naughton, James (Buzz) Jr.
- Hendrickson Appraisal Co., Inc.
- Buss-Shelger Associates
- The Recht and Recht Company
- Schneider Valuations Consultants, Inc.
- Collier’s

As the statutes do not provide specific criteria for the Oversight Board to evaluate individual appraisal firms, staff is recommending approval of the above listed firms based upon the following:

- All of the firms listed are on the City of San Diego’s shortlist of pre-qualified firms to provide real estate appraisal services to the City. In order to be placed on this list, the City’s Real Estate Division has vetted each firm and determined that each possesses the qualifications necessary to provide the required services.
- Each of the recommended firms has extensive public sector experience
- Each of the recommended firms has appraisers with MAI designation from the Appraisal Institute.
- Each of the recommended firms is generally recognized within the local real estate community.

SUBJECT: APPROVAL OF LIST OF INDEPENDENT APPRAISAL FIRMS TO PROVIDE REAL PROPERTY APPRAISAL SERVICES FOR THE PURPOSE OF ESTABLISHING VALUATIONS AS MAY BECOME NECESSARY FOR IMPLEMENTATION OF THE APPROVED AMENDED AND RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN OF THE SUCCESSOR AGENCY TO THE CITY OF SAN DIEGO REDEVELOPMENT AGENCY

CONCLUSION: Based on the foregoing, the Successor Agency respectfully requests that the Oversight Board approves the recommended action, as further described in the accompanying Resolution.

Respectfully submitted,



CHARISSA JAPLIT
Group Finance Director, HHSA

ATTACHMENTS

A – Resolution OB-2024-22

B – List of Remaining ARPMP “Future Development” Dispositions

AGENDA ITEM INFORMATION SHEET

PREVIOUS RELEVANT BOARD ACTIONS:

N/A

MANDATORY COMPLIANCE:

N/A

CONTACT PERSONS:

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A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING A LIST OF INDEPENDENT APPRAISAL FIRMS TO PROVIDE REAL PROPERTY APPRAISAL SERVICES FOR THE PURPOSE OF ESTABLISHING VALUATIONS AS MAY BECOME NECESSARY FOR IMPLEMENTATION OF THE APPROVED AMENDED AND RESTATED LONG RANGE PROPERTY MANAGEMENT PLAN OF THE SUCCESSOR AGENCY TO THE CITY OF SAN DIEGO REDEVELOPMENT AGENCY

WHEREAS, the former Redevelopment Agency of the City of San Diego (Former RDA) administered the implementation of various redevelopment projects, programs, and activities within designated redevelopment project areas throughout the City of San Diego (City); and

WHEREAS, in accordance with Assembly Bill 26 (AB 26) enacted on June 28, 2011, the Former RDA dissolved as of February 1, 2012, at which time the City of San Diego, solely in its capacity as the designated successor agency to the Former RDA (Successor Agency), assumed the Former RDA's assets and obligations; and

WHEREAS, the Successor Agency is required to administer the winding down of the Former RDA's operations and to ensure compliance with the Former RDA's obligations in accordance with AB 26, as subsequently amended (collectively, the Dissolution Laws); and

WHEREAS, on October 15, 2015, the California Department of Finance (DOF) approved the Amended and Restated Long-Range Property Management Plan (Approved LRPMP), which governs the disposition of the Former RDA's non-housing real estate assets; and

WHEREAS, among other things, the Approved LRPMP includes 22 sites that will be retained by the City for future development (collectively, Future Development Sites) to carry out historical redevelopment objectives, consistent with California Health and Safety Code (Code) section 34191.5(c)(2); and

WHEREAS, Code section 34180(f)(1) states that the City must reach a compensation agreement with the other local taxing entities for the value of each Future Development Site; and

WHEREAS, the Approved LRPMP states, at page 11, that each compensation agreement must specify that the City will remit to the San Diego County Auditor-Controller, for distribution to the local taxing entities in proportion to their respective shares of the property tax base, the net proceeds from (i) the City's use of the Future Development Site and (ii) the City's disposition of the Future Development Site, consistent with the future development objectives described in the Approved LRPMP; and

WHEREAS, Code section 34180(f)(2) states that, if the City and the other local taxing entities are unable to agree on valuation of any Future Development Site, the value of the affected Future Development Site will be the fair market value as of the 2011 property tax lien date as determined by an independent appraiser approved by the Oversight Board; and

WHEREAS, the Oversight Board has evaluated the credentials of the independent appraisal firms identified by the Successor Agency – namely

- Jones, Roach & Caringella, Inc.
- Anderson and Brabant, Inc.
- Naughton, James (Buzz) Jr.
- Hendrickson Appraisal Co., Inc.
- Buss-Shelger Associates
- The Recht and Recht Company
- Schneider Valuations Consultants, Inc.
- Collier's

– and has determined that they are qualified to provide real estate appraisal services, if necessary, with respect to the Future Development Sites; and

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board that, pursuant to Code section 34180(f), the Board approves the following independent appraisal firms to provide real

Attachment A
Resolution No: OB-2024-22
Meeting Date: September 19, 2024

property appraisal services for the purpose of establishing valuations as may become necessary
in connection with the Future Development Sites:

- Jones, Roach & Caringella, Inc.
- Anderson and Brabant, Inc. #
- Naughton, James (Buzz) Jr.
- Hendrickson Appraisal Co., Inc.
- Buss-Shelger Associates
- The Recht and Recht Company
- Schneider Valuations Consultants, Inc.
- Collier's

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on September 19, 2024.

Approved as to Form and Legality
By Adam U. Lindgren, Oversight Board Counsel


Brian Hagerty
Chair, Oversight Board

5785001.1

Attachment B

Remaining ARPMP “Future Development” Dispositions

1. FD– 1 6901 Linda Vista Road
2. FD – 2 6907-21 Linda Vista Road
3. FD - 11 North Park Gateway (Woolworth Building)
4. FD – 13 6th & K Parkade
5. FD - 14 Balboa Theatre
6. FD - 15 Chinese Historical Museum Site
7. FD - 16 Naval Training Center/Liberty Station
8. FD - 17 North Park Garage
9. FD - 18 Park-It-On-Market
10. FD - 20 Tailgate Park (Under contract – litigation pending)
11. FD - 22 Walker Scott ("On Broadway" Project)



COUNTY OF SAN DIEGO

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SAMUEL MERRILL

CORINNE WILSON

AGENDA ITEM

COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

DATE: September 19, 2024

02

TO: Countywide Redevelopment Successor Agency Oversight Board

SUBJECT: APPROVAL OF FY 2024-25 SPECIAL LIABILITY INSURANCE PROGRAM (SLIP) AND AUTHORIZATION TO SEEK REIMBURSEMENT FOR RELATED EXPENSES IN ACCORDANCE WITH HEALTH AND SAFETY CODE

SUMMARY:

Overview

At the request of the Oversight Board, County staff obtained Special Liability Insurance Program (SLIP) coverage in 2019. The purpose of the coverage is to protect Oversight Board members from damages and defense costs resulting from claims against appointed officials. Claims of this nature typically fall into the category of alleged wrongful acts in the performance of duties for a public entity.

Staff returns to the Oversight Board at this meeting with a renewal proposal received from Alliant Insurance Services, Inc., as arranged through the Department of Human Resources Risk Management Division. The categories of insurance provided include personal injury (bodily injury and property damage), public officials errors and omissions, and fire damage. The coverage amount for personal injury and public officials errors and omissions is \$7,000,000 per occurrence and the coverage amount for fire damages is \$1,000,000 per occurrence. The annual premium and applicable fees total are between \$10,354.24 and \$10,804.43 which are considered oversight board administrative expenses eligible for reimbursement under Health and Safety Code section 34179(c) states, "The oversight board may direct the staff of the successor agency to perform work in furtherance of the oversight board's and the successor agency's duties and responsibilities under this part. The successor agency shall pay for all of the costs of meetings of the oversight board and may include such costs in its administrative budget. Oversight board members shall serve without compensation or reimbursement for expenses."

SUBJECT: APPROVAL OF FY 2023-24 SPECIAL LIABILITY INSURANCE PROGRAM (SLIP) AND AUTHORIZATION TO SEEK REIMBURSEMENT FOR RELATED EXPENSES IN ACCORDANCE WITH HEALTH AND SAFETY CODE

Recommendation

1. Approve the purchase of a Special Liability Insurance Program (SLIP) policy renewal through Alliant Insurance Services, Inc., and authorize County staff to seek reimbursement for related expenses in accordance with Health & Safety Code regulations.

Fiscal Impact

Funds for this oversight board administrative request are available through distributions of Fiscal Year 2024-25 Redevelopment Property Tax Trust Fund revenues, as permitted under Health & Safety Code section 34179(c). There will be no fiscal impact to the County's General Fund, and no additional staff years required.

BACKGROUND:

On May 24, 2024, the Fiscal Year 24-25 Pre-Renewal Application packet was completed by County staff to engage interest to similar terms and continue the existing Special Liability Insurance Program (SLIP) policy. The purpose of the coverage is to protect Oversight Board members from damages and defense costs resulting from claims against appointed officials. Claims of this nature typically fall into the category of alleged wrongful acts in the performance of duties for a public entity.

County staff worked with the Department of Human Resources Risk Management Division to obtain a policy proposal through Alliant Insurance Services, Inc., a qualified and licensed insurance broker used by the County for locating specialized insurance coverage. Oversight Board counsel reviewed the proposed policy and found the terms to be satisfactory. The Oversight Board approved purchase of the prior year policy at its September 21, 2023 regular meeting.

This policy is available for annual renewal upon approval from the Oversight Board. County staff return at this meeting with appropriate documentation for review and approval, including pricing and policy coverage information.

Respectfully submitted,



CHARISSA JAPLIT
Group Finance Director, HHSA

SUBJECT: APPROVAL OF FY 2023-24 SPECIAL LIABILITY INSURANCE PROGRAM (SLIP) AND AUTHORIZATION TO SEEK REIMBURSEMENT FOR RELATED EXPENSES IN ACCORDANCE WITH HEALTH AND SAFETY CODE

ATTACHMENTS

A – Resolution OB-2024-23

AGENDA ITEM INFORMATION SHEET

PREVIOUS RELEVANT BOARD ACTIONS:

September 21, 2023 (01), Approval of FY 2023-2023 Special Liability Insurance Program (SLIP) September 15, 2022 (01), Approval of FY 2022-2023 Special Liability Insurance Program (SLIP); October 21, 2021 (02), Approval of FY 2021-2022 Special Liability Insurance Program (SLIP)

MANDATORY COMPLIANCE:

N/A

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Attachment A
Resolution No: OB-2024-23
Meeting Date: September 19, 2024

A RESOLUTION OF THE SAN DIEGO COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING FISCAL YEAR 2023-2024 SPECIAL LIABILITY INSURANCE PROGRAM (SLIP) FOR THE COUNTYWIDE REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD

WHEREAS, the Countywide Redevelopment Successor Agency Oversight Board ("Oversight Board") has been established to direct the county Successor Agencies to take certain actions to wind down the affairs of the Redevelopment Agencies in accordance with California Health and Safety Code; and

WHEREAS, certain actions taken by the Oversight Board may result in legal claims regarding alleged wrongdoing in the performance of the required duties of public officials; and

WHEREAS, the Oversight Board has expressed interest in the renewal policy coverage of a Special Liability Insurance Program (SLIP) that provides coverage against damages and defense costs arising from such claims; and

WHEREAS, the County staff has obtained an estimated proposal from Alliant Insurance Services, Inc. based on Fiscal Year 2023-24 Policy providing such coverage for an annual amount between \$10,354.24 and \$10,804.43 in premiums and related fees, reimbursable from Redevelopment Property Tax revenues under Health and Safety Code section 34179(c) as an allowable oversight board administrative expense.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board that purchase of the Special Liability Insurance Program (SLIP) insurance policy for Fiscal Year 2024-2025 is approved on the condition that the new policy provisions are substantially the same as the Fiscal Year 2023-24 policy and that the annual premium and applicable fees are within \$10,354.24 and \$10,804.43. Oversight Board staff is hereby authorized to seek reimbursement in the amount of premiums and related fees as described in this resolution.

PASSED AND ADOPTED by the Oversight Board at a duly noticed meeting of the Oversight Board held on September 19, 2024.

Approved as to Form and Legality
By Adam U. Lindgren, Oversight Board Counsel


Brian Hagerty
Chair, Oversight Board