LEGISLATIVE & PUBLIC AFFAIRS COMMITTEE MEETING
Thursday, October 26, 2017 at 3:30 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Non-Agendized Matters: Members of the public are invited to address the Board on matters which are not on the Agenda. Each speaker is limited to three (3) minutes. The Board will set aside thirty (30) minutes for public comments.

Agendized Matters: Members of the public may comment on Agenda items before action is taken, or after the Board has discussed the item. Each speaker is limited to five (5) minutes.

CONSENT CALENDAR ITEMS:
Approve all matters under the Consent Calendar by one motion unless a Board member, staff, or a member of the public requests a separate action.

1. Advocacy Update
2. Outreach Update

PRESENTATION AND DISCUSSION ITEMS:
Items recommended for approval at this meeting may be agendized for approval at a future Board meeting.

3. “I Heart Mesa Water®” Community Outreach Event Recap
4. Mesa Water® Messaging

ACTION ITEMS:
5. Argyros Plaza Proclamation
6. Redevelopment Agency Oversight Board Appointments

REPORTS:
7. Report of the General Manager
8. Directors’ Reports and Comments

INFORMATION ITEMS:
None
In compliance with California law and the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, or if you need the agenda provided in an alternative format, please contact the District Secretary at (949) 631-1206. Notification 48 hours prior to the meeting will enable Mesa Water District (Mesa Water) to make reasonable arrangements to accommodate your requests.

Members of the public desiring to make verbal comments utilizing a translator to present their comments into English shall be provided reasonable time accommodations that are consistent with California law.

Agenda materials that are public records, which have been distributed to a majority of the Mesa Water Board of Directors (Board), will be available for public inspection at the District Boardroom, 1965 Placentia Avenue, Costa Mesa, CA and on Mesa Water’s website at www.MesaWater.org. If materials are distributed to the Board less than 72 hours prior or during the meeting, the materials will be available at the time of the meeting.

ADJOURNMENT
MEMORANDUM

TO: Legislative & Public Affairs Committee
FROM: Stacy Taylor, External Affairs Manager
DATE: October 26, 2017
SUBJECT: Advocacy Update

RECOMMENDATION

This item is provided for information only.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

This item is updated for the monthly meeting of the Legislative & Public Affairs Committee.

DISCUSSION

Staff will provide a verbal report to the Board.

FINANCIAL IMPACT

In Fiscal Year 2018, $84,000 is budgeted; $21,000 has been spent to date.

ATTACHMENTS

None.
MEMORANDUM

TO: Legislative & Public Affairs Committee
FROM: Noelle Collins, Public Affairs Coordinator
DATE: October 26, 2017
SUBJECT: Outreach Update

RECOMMENDATION

This item is provided for information only.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

This item is updated for the monthly meeting of the Legislative & Public Affairs Committee.

DISCUSSION

Mesa Water District's outreach program aims to connect Mesa Water with its constituents in order to achieve Goal #4 of the District’s Strategic Plan. Outreach activities are also designed to achieve the Strategic Plan goals related to human resources, customer service, and/or regional water issues involvement by educating and informing the District’s constituents about Mesa Water, water issues, and water in general. Mesa Water’s constituents include external audiences – such as customers; community members; elected officials; industry colleagues, water districts and special districts; and media – as well as internal audiences such as staff, retirees and Board members.

Upcoming FY 2018 Events

1. Grand Opening of the Julianne and George Argyros Plaza, Saturday, October 28, 2017 at 11:00 a.m., 600 Town Center Drive, Costa Mesa, CA 92626

2. Family Health Day, Saturday, November 18, 2017 from 9:00 a.m. to 12:00 p.m., Hoag Center for Healthy Living, 307 Placentia Avenue, Newport Beach, CA 92663

3. 5th Grade Assemblies on Tuesday, November 21, 2017 at 9:40 a.m. and 10:40 a.m., Whittier Elementary School, 1800 Whittier Avenue, Costa Mesa, CA 92627

4. 5th Grade Assembly on Tuesday, November 21, 2017 at 1:35 p.m., College Park Elementary, 2380 Notre Dame Road, Costa Mesa, CA 92626
5. 2017 Chili Cook-Off on Saturday November 4, 2017 from 1:00 p.m. to 4:00 p.m., Halecrest Swim and Tennis Club, 3107 Killybrooke Lane, Costa Mesa, CA 92626

The benefits of Mesa Water’s outreach program include:

- Informing constituents about Southern California's perpetual drought, the historical drought facing California, and the importance of developing local and cost-effective sources of safe, reliable water for Mesa Water’s service area and the region at large;
- Educating constituents about the importance of water and water stewardship, in order to sustain Southern California’s population, quality of life, business, and economy;
- Educating constituents about Mesa Water’s stewardship of ratepayer funds and financial responsibility to fund, invest in, and save for the current and future provision of safe and reliable water for the District’s service area;
- Informing constituents of the District’s infrastructure improvements to ensure water quality and water reliability for its service area;
- Learning from constituents and evolving as a well-informed Board of Directors;
- Promoting water use efficiency to Mesa Water’s customers and community members to help them save water, money, and the environment;
- Ensuring, for public health and safety reasons, that Mesa Water customers and community members identify the District as their water provider and as the source of information about water in emergency situations;
- Supporting Mesa Water’s service area as an actively involved participant in programs that provide added value and benefits to the community;
- Informing the media of Mesa Water’s activities that benefit the District’s customers and community;
- Empowering Mesa Water’s Board and staff with information that will help them provide the best possible service to the District’s customers and community members; and
- Strengthening Mesa Water’s industry relations to provide opportunities for improving the District’s business and operations -- including the areas of financial and human resources strength, infrastructure and technological innovation, and setting/supporting policies that have a positive impact on Mesa Water’s service area -- so that the District can continue to provide safe, high-quality, reliable, and affordable water to its customers.

FINANCIAL IMPACT

In Fiscal Year 2018, $373,200 is budgeted for support services to the District’s Public Affairs department; $76,229 has been spent to date.

ATTACHMENTS

None.
MEMORANDUM

TO: Legislative & Public Affairs Committee
FROM: Stacy Tayor, External Affairs Manager
DATE: October 26, 2017
SUBJECT: “I Heart Mesa Water” Community Outreach Event Recap

RECOMMENDATION

Receive the presentation.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.

PRIOR BOARD ACTION/DISCUSSION

The “I Heart Mesa Water” Community Outreach Event was discussed at the Mesa Water District (Mesa Water®) Legislative & Public Affairs Committee meetings on July 27, and August 24, 2017, and at Mesa Water® Board meeting on September 14, 2017. The event took place at Mesa Water’s headquarters on Saturday, September 23, 2017, from 9:00 a.m. to noon.

DISCUSSION

Mesa Water’s consultant, La Voz Marketing, will provide a presentation to recap the “I Heart Mesa Water” Community Outreach Event and to summarize the results provided in the attached report.

FINANCIAL IMPACT

None.

ATTACHMENTS

Attachment A: “I Heart Mesa Water” Community Outreach Event Results Report
“I HEART MESA WATER” COMMUNITY OUTREACH EVENT
Event Planning, Community Relations + Marketing Recap
October 19, 2017

Event Planning + Production
La Voz Marketing (LVM) handled the pre-event planning and day-of production for this important “I Heart Mesa Water” community outreach event, including: securing rentals, decorations, activities / entertainment, logistics, event layout, and sponsors. Specifically, based on the budget allocated for this event, LVM worked hard to successfully secure sponsors to avoid costly line items including: a food sponsor, an entertainment sponsor (including audio equipment and live DJ services), and an EZ-Up sponsor. LVM also gathered raffle donation items from event partners and leveraged its own relationships to secure additional donations from Trader Joe’s and RiseBar. Event participants and attendees said the event was enjoyable, professional, and ran smoothly.

Community Relations
LVM was also responsible for engaging the community via partner outreach. LVM supported Mesa Water® in forming partnerships with fourteen (14) different local entities, mentioned below. We prepared a Powerpoint presentation to introduce the event concept and details to the partners and conducted a kick-off meeting with all partners at Mesa Water HQ. LVM handled all communication with partners, fielding all questions leading up to the event to ensure they had the tools / information to promote the event and all supplies needed to take part in the event.

- Chargers Football
- City of Costa Mesa
- Costa Mesa Parks and Recreation
- Costa Mesa Chamber
- Costa Mesa Historical Society
- Costa Mesa Family Resources Center
- Melinda Hoag Smith Center
- Friends of the Costa Mesa Libraries
- MIKA Community Development Corporation
- Orange Coast College
- Save Our Youth (SOY)
- Share Our Selves (SOS)
- Vanguard Jesse Miranda Center for Hispanic Leadership
- Youth Employment Service

Marketing + Public Relations
From concept to market, LVM handled all aspects of marketing for the event in both Spanish and English. LVM developed the theme / title of the event, messaging points, Spanish translations of all content, and all visual assets including: a mailed flyer (in Spanish and English), a hand distributed flyer (in Spanish and English), an email newsletter asset, social media assets for Facebook and Instagram (in Spanish and English), and a PowerPoint to use in partner / community outreach.

LVM also helped coordinate the printing and mailing / dissemination of the marketing flyer. The flyer was distributed as follows:

- 3,842 delivered via mail to Division 1
- 1,700 delivered as bill inserts to Division 1
- 12,450 distributed via walking team to residences in Division 1, 2 and 5
- 2,000 distributed via Mesa Water and its event partners
In addition, LVM handled all Public Relations outreach surrounding the event to establish credibility with key audiences, generate awareness of Mesa Water, and encourage event attendance. This effort marked the first time that local / regional Spanish-language media outlets were directly informed by Mesa Water. From the development of the media list to the pitching of local and regional outlets, LVM generated awareness about this event and Mesa Water in general. LVM pitched the following media outlets and secured seventeen (17) placements via the eleven (11) outlets indicated in bold:

- City News Service
- City’s ‘Costa Mesa Connected’
- Costa Mesa Chamber of Commerce
- Costa Mesa Prepared Community News
- Daily Pilot
- eCurrents
- Excelsior OC
- Hispanic Lifestyle
- Hydrospectives
- I Heart Costa Mesa
- KOCl Radio
- La Prensa
- MiniOndas / Farandula USA
- Newport Beach Independent
- Newport-Mesa USD News Updates
- OC Register
- OC Weekly
- Orange Coast College - Coast Report
- StuNews Newport
- Telemundo
- Times OC
- UnidosSC.com
- Univision

It is worth noting that LVM secured the first-ever Spanish-language publicity placement for Mesa Water in the print edition of Excélsior. This outlet has over 71,000 Hispanic readers in Orange County and reaches single-family, multi-generational Hispanic households in the neighborhoods that Mesa Water serves. These consumers are in neighborhoods with 75% or greater Hispanic density and with income levels of $45,000 or more.

Editorial placements were garnered in the following publications / outlets:

<table>
<thead>
<tr>
<th>MEDIA OUTLET</th>
<th>MEDIUM</th>
<th>PLACEMENT DATE</th>
<th>IMPRESSIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily Pilot</td>
<td>Online</td>
<td>September 6, 2017</td>
<td>33,506 UVPM</td>
</tr>
<tr>
<td>Stu News Newport</td>
<td>Online</td>
<td>September 7, 2017</td>
<td>10,700 UVPM</td>
</tr>
<tr>
<td>Newport Mesa USD – PeachJar</td>
<td>Online</td>
<td>September 7, 2017</td>
<td>13,000</td>
</tr>
<tr>
<td>(submitted by Mesa Water)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newport Beach Independent</td>
<td>Print</td>
<td>September 8, 2017</td>
<td>25,500</td>
</tr>
<tr>
<td>Newport Beach Independent</td>
<td>Online</td>
<td>September 8, 2017</td>
<td>26,269 UVPM</td>
</tr>
<tr>
<td>KOCI Stu News Sunday</td>
<td>Radio</td>
<td>September 10, 2017</td>
<td>16,000 listeners</td>
</tr>
<tr>
<td>UnidosSC.com (La Prensa / Excélsior)</td>
<td>Online</td>
<td>September 11, 2017</td>
<td>30,000 UVPM</td>
</tr>
<tr>
<td>Costa Mesa City Hall Snapshot</td>
<td>Newsletter</td>
<td>September 11, 2017</td>
<td>TBD</td>
</tr>
<tr>
<td>Costa Mesa Connected</td>
<td>Online</td>
<td>September 11, 2017</td>
<td>TBD</td>
</tr>
<tr>
<td>City of Costa Mesa: ‘Costa Mesa Minute’</td>
<td>Social</td>
<td>September 13, 2017</td>
<td>5,915</td>
</tr>
<tr>
<td>Excélsior Orange County</td>
<td>Print</td>
<td>September 15, 2017</td>
<td>71,230</td>
</tr>
</tbody>
</table>
Summary + Key Learnings: Based on our experience and feedback from the client / partners, LVM feels the event was a success. LVM exceeded the client’s goal of attracting 225 people to the event and believes approximately 450 people attended. In addition, over 140 contact forms were completed by event attendees which will allow for future communications. LVM also secured key media placements - in both Latino and General market outlets - that generated positive news about Mesa Water. The placements garnered well over 260,000 impressions, which breaks down to approximately $0.10 per impression based on the LVM budget. Event partners also shared that it was a successful event that introduced them to a relevant group of local community residents. In addition to the positive feedback above, it is important to take the following learnings into consideration when determining plans for future events of this magnitude:

- To work within the parameters of Mesa Water’s budget, LVM secured the donation of several major event elements. This may not be possible in the future. Additional budget should be allocated for these items:
  - Catering - food, food service equipment, and food service staff;
  - Entertainment - audio / video equipment, generator(s), MC, DJ, or live music; and,
  - Booths / EZ-Ups - most partners did not have EZ-ups to indicate their space.
- Reporting was a larger part of this project than anticipated. Weekly update calls averaged about 45 minutes, versus the estimated 15, and periodic presentations to the Board were requested. Additional time should be allocated for reporting.
- Partners’ booth activities could be more engaging. The rented entertainers - face painter, caricaturist, balloon artist, and bubble artist - were the most popular parts of the festival.
- The client expressed interest in garnering broadcast placements (e.g., radio and television), in addition to print, thus added lead time and budget would help to successfully pitch and secure broadcast placements.
- In order to generate more print placements, in both long-lead and short-lead publications, LVM suggests that event pitching starts approximately three (3) months ahead of event day. With just two (2) months to plan and market this event, results were not able to be maximized.
- For the future, LVM recommends at least six (6) months lead time for an event of this scale. We believe attendance and media placements could be improved if given the opportunity to provide marketing materials to partners, media and the public more in advance of the event.
MEMORANDUM

TO: Legislative & Public Affairs Committee
FROM: Stacy Taylor, External Affairs Manager
DATE: October 26, 2017
SUBJECT: Mesa Water Messaging

RECOMMENDATION

This item is provided for discussion only.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

To further our engagement with customers, community members, industry colleagues, media contacts, and other constituents, Mesa Water District (Mesa Water®) is piloting enhanced and targeted social media outreach from mid-September 2017 through June 2018. Concurrently, Mesa Water® is developing a style guide to unify the District’s look and voice in all communications.

For added communications value, staff plans to retain a communications consultant, for a not-to-exceed budget of $17,500, to create new messaging to be included in the style guide and used for social media and other marketing communications elements (i.e., advertisements, public service announcements, website, etc.).

Staff plans to present draft messaging to Mesa Water’s Legislative & Public Affairs Committee meeting on November 16, 2017 and to finalize the messaging at Mesa Water's Board meeting on December 14, 2017.

FINANCIAL IMPACT

In Fiscal Year 2018, $373,200 is budgeted for support services to the District’s Public Affairs department; $76,000 has been spent to date.

ATTACHMENTS

None.
MEMORANDUM

TO: Legislative & Public Affairs Committee
FROM: Stacy Taylor, External Affairs Manager
DATE: October 26, 2017
SUBJECT: Proclamation Honoring the Argyros Plaza Grand Opening

RECOMMENDATION

Recommend that the Board of Directors approve a proclamation honoring the Grand Opening of the Julianne and George Argyros Plaza at the Segerstrom Center for the Arts.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #6: Provide outstanding customer service.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

On Saturday, October 28, 2017, at 11:00 a.m., the Segerstrom Center for the Arts will host the Grand Opening of the Julianne and George Argyros Plaza and Center for Dance and Innovation. The opening will include a brief ceremony, followed by photo opportunities when President Atkinson will provide a Mesa Water District proclamation (Attachment A).

The grand opening event is open to the public and press, and will feature a full schedule of FREE family-friendly activities and performances, including trick-or-treating, puppet shows, and local artists performing on the new outdoor stage. The Philharmonic Society of Orange County, Pacific Chorale, Pacific Symphony, South Coast Repertory, and Orange County Museum of Art will also join in the day-long festivities.

FINANCIAL IMPACT

None.

ATTACHMENTS

Attachment A: Draft Proclamation
Attachment B: Event Flyer
A Day of Celebration to Honor the Grand Opening of the Julianne and George Argyros Plaza

Whereas, Segerstrom Center for the Arts, originally called Orange County Performing Arts Center, is a performing arts complex located in Costa Mesa, which opened in 1986; and

Whereas, Segerstrom Center will be transformed into a cultural center and dynamic town square -- deeply engrained in the fabric of our community, artistically ambitious, yet accessible to all -- that shines as the very model of a successful performing arts center of the future; and

Whereas, Orange County’s newest gathering place is the Julianne and George Argyros Plaza and Center for Dance and Innovation at Segerstrom Center for the Arts; and

Whereas, the Julianne and George Argyros Plaza will feature beautiful groves with shady seating, FREE WiFi, a lively café, and an outdoor stage offering FREE year-round performances that celebrate all of Orange County’s wonderfully diverse communities; and

Whereas, the festive opening of the Julianne and George Argyros Plaza sets the stage for even more excitement to come from Segerstrom Center’s Next Act, a bold plan for the future that pushes the boundaries of what a performing arts center can do for its community!

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of Mesa Water District hereby recognizes the Segerstrom Center for the Arts on the occasion of the Julianne and George Argyros Plaza Grand Opening for its commitment to providing cultural and educational experiences for our community where, together, we thrive when we make the arts matter.

Jim F. Atkinson, President
Fred R. Bookmiller, P.E., Vice President
Shawn Dewane, Director

Marice H. DePasquale, Director

October 28, 2017

James R. Fisler, Director
Welcome to a whole new stage.
GRAND OPENING!
October 28 at 11am • Juliane and George Argyros Plaza • Center for Dance and Innovation

Dear Friends,

With great anticipation, the transformation of our plaza as a new public gathering place at the heart of Segerstrom Center is quickly nearing completion, and we want to express our sincerest appreciation for the significant role you played in this remarkable journey. As a special friend of the Center, we would like to personally invite you to the dedication of our Juliane and George Argyros Plaza and Center for Dance and Innovation on October 28 beginning at 11am, followed by a full schedule of fun activities and performances for the whole family.

Trick-or-treating and puppet shows will delight children of all ages. The Philharmonic Society of Orange County, Pacific Chorale, Pacific Symphony, South Coast Repertory and Orange County Museum of Art will also join the day-long festivities. After dark, enjoy live performances on the new outdoor stage by California bands Orgone and Monophonics as well as the gravity-defying dance troupe BANDALOOP!

Please join us for the festivities starting at 11am on October 28. Click here for more information.

With our warmest wishes,

Segerstrom Center for the Arts

Follow us: | Friends
of the Center: LEARN MORE
MEMORANDUM

TO: Legislative & Public Affairs Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: October 26, 2017
SUBJECT: Orange County Redevelopment Agency Oversight Board

RECOMMENDATION

Recommend that the Board of Directors authorize President Jim Atkinson to vote in the Orange County Special District Selection Committee election and authorize Vice President Fred R. Bockmiller, P.E. as the alternate voting member.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water and about water.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

At its October 3, 2017 meeting, the Executive Committee received this topic as a discussion item.

At its October 12, 2017 meeting, the Board of Directors (Board) received this topic as an information item.

BACKGROUND

Recent legislation gives the Orange County Local Agency Formation Commission (LAFCO) the responsibility to conduct elections for the special district representative to the new county-wide Orange County Redevelopment Agency Oversight Board (RDA Board). LAFCO will conduct the 2018 ballot by mailed ballot, as it does other Independent Special District Selection Committee elections.

California redevelopment law created an oversight board to monitor the remaining activities of each former redevelopment agency. In September of 2015, the Governor signed SB 107, which requires the consolidation of more than 400 RDA Oversight Boards into just one oversight board per county, with the exception of Los Angeles County, which will have five. Each county’s oversight board includes one special district representative to be appointed by that county’s Independent Special District Selection Committee. The new law further states that should the committee fail to appoint a special district representative to the oversight board by July 15, 2018, the Governor is empowered to make the appointments.

Page four of the Countywide RDA Oversight Board Special District Appointments (Attachment D), co-written by California Special Districts Association (CSDA) and CALAFCO, lists the eligibility requirements of the appointed position, summarized below:
Members appointed by the independent special district selection committee shall be elected or appointed members of the legislative body of an independent special district residing within the county but shall not be members of the legislative body of a city or county.

There is no clear indication that the members appointed by the selection committee must be located in a former redevelopment agency. However, it could be implied by Health And Safety Code Section 34179(j)(3) that the committee should appoint a representative from a special district that receives property tax residual from the Redevelopment Property Tax Trust Fund (RPTTF).

SB 107 does not specify a term of office; page six of the above mentioned document merely specifies that:

- Nothing in Health and Safety Code Section 34179 describes terms for members of the oversight board. Rather, Section 34179(g) provides that “Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.”

DISCUSSION

The Orange County Special District Selection Committee’s Bylaws authorize the LAFCO Executive Officer to conduct the elections of the Committee in writing, which LAFCO has elected to do for the past several years. LAFCO will conduct the elections for the special district representative to the new Orange County RDA oversight board by the same means it conducts other elections, which is by mailed written ballot.

The nomination and election by mail will be conducted pursuant to the following schedule:

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 10, 2017</td>
<td>Nomination Period Begins</td>
<td>LAFCO Executive Officer emails notification letters with nomination form and Declaration of Qualification to Vote to independent special district presiding officers and general managers.</td>
</tr>
<tr>
<td>November 10, 2017 (3:00 p.m.)</td>
<td>Nomination Period Ends</td>
<td>Deadline for submitting nominations and Declaration of Qualification to Vote for RDA Oversight Board to LAFCO by 3:00 p.m.</td>
</tr>
<tr>
<td>November 13, 2017</td>
<td>Voting Period Begins</td>
<td>Ballots emailed to all special district presiding officers/designees and general managers.</td>
</tr>
<tr>
<td>December 18, 2017 (3:00 p.m.)</td>
<td>Voting Period Ends</td>
<td>Ballots due to LAFCO by 3:00 p.m.</td>
</tr>
<tr>
<td>December 19, 2017</td>
<td>Ballots Counted</td>
<td>LAFCO staff tabulates ballots and announces results.</td>
</tr>
</tbody>
</table>
As of October 10, 2017, the nomination period for the appointment has begun. LAFCO Executive Officer Carolyn Emery emailed notification letters (Attachment A) with Declaration of Qualification to Vote (Attachment B) and nomination form (Attachment C) to independent special district presiding officers and general managers. The deadline for submitting nominations and voting authorization is November 10, 2017 at 3:00 p.m.

With regard to potential nominations, please note the following:

- To be eligible for a position, the nominee must be “elected or appointed to your district,” for a fixed term.
- Individuals eligible for these positions must be “members of the legislative body of an independent special district...but shall not be members of the legislative body of a city or county” (Government Code Section 56332(c). For example, a city council member serving as a board-member of a vector control district is ineligible.
- Nominations must be made at a meeting of the go evening board of the nominee’s corresponding special district during the nominations period.
- Health and Safety Code Section 34179(j)(3) reads in full: “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.”

With regard to voting authorization, staff recommends that the Board authorize President Jim Atkinson to vote in the Orange County Special District Selection Committee election and Vice President Fred R. Bockmiller, P.E. as the alternate voting member.

FINANCIAL IMPACT

There is no financial impact for the discussion of this item.

ATTACHMENTS

Attachment A: Orange County LAFCO Correspondence Dated 10/10/17
Attachment B: Declaration of Qualification to Vote
Attachment C: 2017 Nomination Form
Attachment D: Countywide RDA Oversight Board Special District Appointments
October 10, 2017

TO:    Presiding Officers, Independent Special Districts of Orange County

Subject:  Start of Nomination Period for Redevelopment Agency Oversight Board Appointment- County of Orange

As a follow-up to my September 21, 2017 letter regarding the election process for the appointment of the special district member to the new county-wide Orange County Redevelopment Agency Oversight Board ("RDA Board"), this memorandum is to inform you of the start of the nomination period for this appointment (Tuesday, October 10, 2017).

The election process for special district seats are governed by Government Code Section 56332 and the Independent Special Districts Selection Committee Bylaws. To participate in the process, both, the attached Declaration of Qualification to Vote and the Nomination Form (if your District is nominating a candidate) must be submitted to LAFCO by November 10, 2017. The nomination and election by mail process will be conducted pursuant to the following schedule:

<table>
<thead>
<tr>
<th>DATE</th>
<th>EVENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday, October 10, 2017</td>
<td>Nomination Period Begins: LAFCO Executive Officer emails notification letters with nomination form and Declaration of Qualification to Vote to independent special district presiding officers and general managers.</td>
</tr>
<tr>
<td>November 10, 2017 (3 PM)</td>
<td>Nomination Period Ends: Deadline for submitting nominations and Declaration of Qualification to Vote for RDA Oversight Board to LAFCO by 3:00 p.m.*</td>
</tr>
<tr>
<td>November 13, 2017</td>
<td>Voting Period Begins: Ballots emailed to all special district presiding officers/designees and general managers.</td>
</tr>
<tr>
<td>December 18, 2017 (3 PM)</td>
<td>Voting Period Ends: Ballots due to LAFCO by 3:00 p.m.</td>
</tr>
<tr>
<td>December 19, 2017</td>
<td>Ballots Counted: LAFCO staff tabulates ballots and announces results.</td>
</tr>
</tbody>
</table>

* Pursuant to Government Code §56332 (f)(2), if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected, with no further proceedings.
With respect to potential nominations, please note the following:

- To be eligible for a position, the nominee must be “elected or appointed to your district,” for a fixed term.
- Individuals eligible for these positions must be “members of the legislative body of an independent special district...but shall not be members of the legislative body of a city or county” (Government Code Section 56332(c). For example, a city council member serving as a board-member of a vector control district is ineligible.
- Nominations must be made at a meeting of the governing board of the nominee’s corresponding special district during the nominations period.
- Health and Safety Code Section 34179(j)(3) reads in full: “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.”
- All completed nominations forms and any supplemental information must be received by LAFCO by the close of the nomination period, which is **3:00 p.m. on Friday, November 10, 2017**. Nominations may be delivered by email at cemery@oclaafco.org, U.S. Mail, or by fax to (714) 640-5139.

Should you have any questions regarding the election process, please contact me or our Commission Clerk, Cheryl-Carter Benjamin at (714) 640-5100.

Sincerely,

Carolyn Emery
Executive Officer

Attachments: Declaration of Qualification to Vote 2017 Nomination Form

cc: Eric Woolery, Orange County Auditor-Controller
Independent Special District General Managers
DECLARATION OF QUALIFICATION TO VOTE

Jim Atkinson, Presiding Officer
Mesa Water District
1965 Placentia Avenue
Costa Mesa, CA 92627-3467
jima@MesaWater.org

I, ______________________,* hereby attest that
_____________________ **has been authorized by the Board of
_______________________ to vote in the Orange County Special
District Selection Committee election.

The Board also designated _________________ *** as the alternate
voting member.

Name and Title*: ________________________________

Signature*: ________________________________

Date: ________________________________

*Must be signed by either Board President or Board Secretary

** Must be a member of the Board

***Must be a member of the Board

Completed forms must be received by LAFCO by 3 PM, Tuesday, November 10, 2017. Forms must be delivered to Orange County LAFCO by:

(1) Email at: cemery@oclafco.org, or
(2) Mail at: Orange County LAFCO
2677 North Main Street, Suite 1050
Santa Ana, CA 92705
Attn: Carolyn Emery, or
(3) FAX at: (714) 640-5139, Attn: Carolyn Emery
# 2017 NOMINATION FORM
Candidate for the Redevelopment Agency Oversight Board Appointment

| CANDIDATE INFORMATION FOR REDEVELOPMENT AGENCY OVERSIGHT BOARD MEMBER: |
| NAME: |
| TITLE: |
| DISTRICT: |

☐ Check box if resume or statement of qualifications is attached.

| SPECIAL DISTRICT SELECTION COMMITTEE MEMBER SUBMITTING NOMINATION (Must be the presiding officer or a designated alternate board member.) |
| NAME: |
| DATE: |
| SIGNATURE: |
| TITLE: |
| DISTRICT: |

A resume or other supplemental information about the candidate may be included and will be distributed with the election ballots. All completed nomination forms and any supplemental information must be returned to Orange County LAFCO by:

1. Email at: cemery@oclafco.org or
2. Mail at: Orange County LAFCO
   2677 North Main Street, Suite 1050
   Santa Ana, CA 92705; or
3. Fax at: (714) 640-5139, Attn: Carolyn Emery

All forms and supplemental information must be received by LAFCO by 3:00 p.m. on Tuesday, November 10, 2017. Nomination forms or candidate information received after that deadline will not be considered.
COUNTYWIDE RDA OVERSIGHT BOARD SPECIAL DISTRICT APPOINTMENTS

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION
CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS
Last Updated: September 27, 2016
DISCLAIMER:
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ACKNOWLEDGEMENTS:
In preparing this paper, CSDA and CALAFCO greatly benefited from individuals who were generous with their time and insightful with their views. Members of our working group held background experience as special district general managers and directors of finance, local agency formation commission executive officers, RDA oversight board representatives, and attorneys.

CSDA and CALAFCO extend sincere appreciation to the individuals on our joint working group, who significantly contributed to the development of this guide. The contributions of the following people were invaluable:

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Colantuono, Highsmith & Whatley, PC

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Executive Officer
El Dorado County Local Agency Formation Commission

Shane McAfee
General Manager
Greater Vallejo Recreation and Park District

Keene Simonds
Executive Officer
Marin County Local Agency Formation Commission

Charles Turner
Director of Finance
Eastern Municipal Water District
On July 1, 2018, more than 400 redevelopment agency (RDA) oversight boards will be consolidated into just one oversight board per county (and five oversight boards in Los Angeles County). When this occurs, each county’s Independent Special Districts Selection Committee will be granted the authority to appoint one special district representative to that county’s respective oversight board.

If the Independent Special District Selection Committee in a county fails to act by July 15, 2018, the governor will make the appointment on its behalf. Therefore, it is important that the special districts in each affected county, and the Local Agency Formation Commissions (LAFCos) that administer the operations of the Independent Special Districts Selection Committees, take proactive steps to ensure a successful locally-controlled appointment process.

Much is at stake in the decisions that go before oversight boards. In fiscal years 2015-16 and 2016-17 combined, the governor’s 2016 May Revise estimated special districts will receive $316 million in property tax restoration due to the continued wind down of RDAs. Oversight board actions could affect the amount and speed of future property tax restorations to special districts and other local agencies.

Due to the newness and uniqueness of the statute providing for countywide oversight boards, the many cross-references within the statute, and the lack of familiarity most LAFCos and special districts have with the Health and Safety Code in which the statute is included, the authorizing language for special district appointments may be challenging to some local officials.

For these reasons, the California Special Districts Association (CSDA) and California Local Agency Formation Commission (CALAFCO) convened a working group to outline the process for appointing special district representatives to countywide oversight boards, and to provide guidance on potential questions related to that process.

**COUNTIES REQUIRING A COUNTYWIDE OVERSIGHT BOARD**

The following thirty-seven counties have two or more oversight boards that will be consolidated into one countywide oversight board on July 1, 2018 (except for Los Angeles County, which will be consolidated into five oversight boards):

- Alameda
- Butte
- Contra Costa
- Fresno
- Humboldt
- Imperial
- Kern
- Kings
- Lake
- Los Angeles (five oversight boards)
- Madera
- Marin
- Monterey
- Mendocino
- Merced
- Nevada
- Orange
- Placer
- Riverside
- Sacramento
- San Bernardino
- San Diego
- San Joaquin
- San Luis Obispo
- San Mateo
- Santa Barbara
- Santa Clara
- Santa Cruz
- Shasta
- Solano
- Sonoma
- Stanislaus
- Sutter
- Tulare
- Ventura
- Yolo
- Yuba

Of the counties noted above, the following eleven counties do not currently have an Independent Special Districts Selection Committee in place. Therefore, the special districts and LAFCos in each of these counties will need to form an Independent Special Districts Selection Committee in order to facilitate the appointment of a special district representative to the new countywide RDA oversight board:

- Fresno
- Imperial
- Kings
- Madera
- Merced
- San Joaquin
- Solano
- Stanislaus
- Tulare
- Yolo
- Yuba
SPECIAL DISTRICT REPRESENTATIVE APPOINTMENT PROCESS

The statutory authorization for appointing the special district representative to a countywide oversight board is found in Health and Safety Code 34179, which can be found in the appendix. This publication overviews the application of this authority in conjunction with the relevant code sections cross-referenced to the Cortese-Knox-Hertzberg Act or 'LAFCo Law' in the Government Code.

On July 1, 2018, counties with 2 – 39 individual RDA oversight boards will be consolidated into one countywide oversight board. Upon consolidation, the county’s Independent Special District Selection Committee is responsible for appointing the special district representative to the new countywide oversight board. The Independent Special District Selection Committee consists of the presiding officer of the legislative body of each independent special district or district-appointed alternate (Government Code Section 56332(a)).

Procedures

The LAFCo Executive Officer/Designee is responsible for calling and giving written notice of meetings of the Independent Special District Selection Committee, at which a representative may be appointed to the countywide RDA oversight board. (Government Code Section 56332(b)).

- A majority of the Independent Special District Selection Committee may determine to conduct the committee's business by mail, including holding all elections by mailed ballot (Government Code Section 56332(e)).

If the independent special district selection committee has determined to conduct the committee's business by mail or if the executive officer/designee determines that a meeting of the special district selection committee, for the purpose of selecting the special district members or filling vacancies, is not feasible, the executive officer/designee shall conduct the business of the committee by mail. Elections by mail shall be conducted as follows (Government Code Section 56332(f)):

1) The executive officer/designee shall prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.

2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. If two or more candidates are nominated, the executive officer/designee shall prepare and deliver one ballot and voting instructions to each eligible district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot to the executive officer/designee by the date specified in the voting instructions, which date shall be at least 30 days from the date on which the executive officer/designee mailed the ballot to the eligible district.

3) The call for nominations, ballot, and voting instructions shall be delivered by certified mail to each eligible district. As an alternative to the delivery by certified mail, the executive officer/designee, with prior concurrence of the presiding officer or his or her alternate as designated by the governing body, may transmit materials by electronic mail.

4) If the executive officer/designee has transmitted the call for nominations or ballot by electronic mail, the presiding officer, or his or her alternate as designated by the governing body, may respond to the executive officer/designee by electronic mail.
5) Each returned nomination and ballot shall be signed by the presiding officer or his or her alternate as designated by the governing body of the eligible district.

6) For an election to be valid, at least a quorum of the special districts must submit valid ballots. The candidate receiving the most votes shall be elected, unless another procedure has been adopted by the selection committee. Any nomination and ballot received by the executive officer/designee after the date specified is invalid, provided, however, that if a quorum of ballots is not received by that date, the executive officer/designee shall extend the date to submit ballots by 60 days and notify all districts of the extension. The executive officer/designee shall announce the results of the election within seven days of the date specified.

   - A quorum is the majority of members representing eligible districts (Government Code Section 56332(a)).

7) All election materials shall be retained by the executive officer/designee for a period of at least six months after the announcement of the election results.

Eligibility Requirements

Members appointed by the independent special district selection committee shall be elected or appointed members of the legislative body of an independent special district residing within the county but shall not be members of the legislative body of a city or county (Government Code Section 56332(c)).

- Special district appointees to current individual oversight boards (pre consolidation into countywide oversight boards) are not restricted to members of the legislative body of the district.

There is no clear indication that the members appointed by the selection committee must be located in a former RDA. However, it could be implied by Health and Safety Code Section 34179(j)(3).

- Current individual oversight boards (prior to consolidation into countywide oversight boards) limit eligibility to special districts that have territory in the territorial jurisdiction of the former RDA and are eligible to receive property tax residual from the RPTTF: "One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188" (Health and Safety Code Section 34179(a)(3)(A)).

Based on Health and Safety Code Section 34179(j)(3), the committee should appoint a representative from a special district that receives property tax residual from the Redevelopment Property Tax Trust Fund (RPTTF).

- Health and Safety Code Section 34179(j)(3) reads in full: "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."

Deadlines and Vacancies

If no one is appointed by July 15, 2018, the governor may appoint an individual on behalf of the Independent Special District Selection Committee. The governor may also appoint individuals for any member position that remains vacant for more than 60 days (Health and Safety Code Section 34179(k)).
Notification Requirements

Health and Safety Code Section 34179(j) does not include notification requirements of the selected special district appointee. However, the current individual oversight boards (prior to consolidation into countywide oversight boards) were required to elect one of their members as the chairperson and report the name of the chairperson and other members to the Department of Finance (Health and Safety Code Section 34179(a)). Additionally, the LAFCo Executive Officer/Designee must announce the results of an Independent Special District Selection Committee election within seven days (Government Code Section 56332(f)(6)).

Counties with Only One Individual Oversight Board

In each county where only one individual RDA oversight board exists, as of July 1, 2018, there will be no consolidation into a countywide oversight board and no change to the composition of the existing oversight board (Health and Safety Code Section 34179(f)).

Counties with 40 or More Individual Oversight Boards

In each county where 40 or more individual oversight boards exist (Los Angeles County), as of July 1, 2018, there will be a consolidation into five oversight boards. The special district membership of each oversight board shall be selected as outlined in Health and Safety Code Section 34179(j)(3) via the Independent Special District Selection Committee process (Health and Safety Code Section 34179(q)(1)).

The consolidated oversight boards in this county shall be numbered one through five, and their respective jurisdictions shall encompass the territory located within the respective borders of the first through fifth county board of supervisors districts, as those borders existed on July 1, 2018. Each oversight board shall have jurisdiction over each successor agency located within its borders (Health and Safety Code Section 34179(q)(2)).

- If a successor agency has territory located within more than one county board of supervisors' district, the county board of supervisors shall, no later than July 15, 2018, determine which oversight board shall have jurisdiction over that successor agency. The county board of supervisors or their designee shall report this information to the successor agency and the department by the aforementioned date (Health and Safety Code Section 34179(q)(3)).

Health and Safety Code Section 34179(q) does not specify if the city and special district appointees must be from an agency located in the respective supervisorial seat.

POTENTIAL QUESTIONS

What if my county does not currently have an Independent Special District Selection Committee?

In the case where more than one successor agency exists within the county, an Independent Special District Selection Committee shall be created pursuant to Government Code Section 56332. Each independent special district shall appoint a member representative to the committee and notify the LAFCo of the appointed member. The LAFCo shall then call and conduct a meeting of the committee, pursuant to Section 56332, for purposes of appointing a representative to the countywide RDA oversight board.
Does the Independent Special District Selection Committee also select an alternate, as it does with LAFCo commissioners? How should a vacancy be addressed?

The strictest interpretation of the statute only authorizes the appointment of one person, but a reasonable argument can be made for the appointment of an alternate. The Legislature expressly incorporated Government Code Section 56332 without elaboration, and that section allows for alternates.

Health and Safety Code Section 34179 does not mention alternates for the countywide oversight boards, but does allow each appointing authority to appoint an alternate for the current individual oversight boards (prior to the consolidation into a countywide oversight board) (Health and Safety Code Section 34179(a)(11)). The selection process outlined in Government Code Section 56332(c) includes the selection of an alternate for the commission.

To resolve any ambiguity, the Independent Special District Selection Committee may choose to adopt local policies, pursuant to its authority in Government Code section 56332, expressly authorizing the appointment of an alternate.

If the LAFCo Executive Officer/Designee anticipates a vacancy will occur – or if an actual vacancy occurs – an election may be held for a representative to the countywide oversight board (Government Code section 56332(b)).

What is the term of an appointment to the countywide RDA oversight board?

Nothing in Health and Safety Code Section 34179 describes terms for members of the oversight board. Rather, Section 34179(g) provides that "Each member of an oversight board shall serve at the pleasure of the entity that appointed such member."

Can an appointee be replaced mid-term?

Yes; nothing in Health and Safety Code Section 34179 describes terms for members of the oversight board. Rather, Section 34179(g) provides that "Each member of an oversight board shall serve at the pleasure of the entity that appointed such member."

Can the Independent Special District Selection Committee replace a special district representative appointed by the governor due to a vacancy?

While not clearly outlined within the relevant statutes, the intent of having locally appointed representatives on the oversight board is undermined if the law is interpreted such that seats could become, essentially, permanent representatives of the governor.

That being said, Independent Special District Selection Committees are strongly encouraged to appoint a representative no later than July 15, 2018, and within 60 days of any vacancy thereafter, in order to avoid this potential question.

What should a LAFCo do where the law is not explicit as to the process for appointments to the countywide RDA oversight board?

LAFCOs should adopt local commission policies. Government Code Section 56300 allows LAFCos to adopt local policies either to clarify requirements or specify how a LAFCo will implement State law taking into account the local conditions. Case law has also indicated that these policies are allowed so long as they are not in conflict with State law.
For example, Government Code 56325(d) indicates that, notwithstanding any other provision of the Cortese-Knox-Hertzberg Act, each LAFCo can appoint one member and one alternate member who represents the public at large. The same section goes on to specify that the appointment of the public and alternate members must be subject to an affirmative vote of at least one of the members from the other appointed authorities; and it also specifies the noticing requirements to announce the vacancy in this position. Section 56325(d) does not contain any direction for the process of appointing public members, nor does it have an indication of the vetting process for candidates eligible to be appointed to this position. With this unclear in the law, some LAFCos have adopted policies to clarify and indicate the basic appointment process.

LAFCos may establish local polices for appointing special district representatives to the countywide RDA oversight board, so long as they are not in conflict with State law.

DEFINITIONS

Taxing entities

Cities, counties, a city and county, special districts, and school entities, as defined in subdivision (f) of Section 95 of the Revenue and Taxation Code, that receive passthrough payments and distributions of property taxes pursuant to the provisions of this part (Health and Safety Code Section 34171(k)).

Executive officer

The executive officer or designee as authorized by the Local Agency Formation Commission (Government Code Section 56332(g)).
APPENDIX

HEALTH AND SAFETY CODE

DIVISION 24. COMMUNITY DEVELOPMENT AND HOUSING [33000 - 37964] (Heading of Division 24 amended by Stats. 1975, Ch. 1137.)

PART 1.85. DISSOLUTION OF REDEVELOPMENT AGENCIES AND DESIGNATION OF SUCCESSOR AGENCIES [34170 - 34191.8] (Part 1.85 added by Stats. 2011, 1st Ex. Sess., Ch. 5, Sec. 7.)

CHAPTER 4. Oversight Boards [34179 - 34181] (Chapter 4 added by Stats. 2011, 1st Ex. Sess., Ch. 5, Sec. 7.)

34179. (a) Each successor agency shall have an oversight board composed of seven members. The members shall elect one of their members as the chairperson and shall report the name of the chairperson and other members to the Department of Finance on or before May 1, 2012. Members shall be selected as follows:

(1) One member appointed by the county board of supervisors.

(2) One member appointed by the mayor for the city that formed the redevelopment agency.

(3) (A) One member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues pursuant to Section 34188.

(B) On or after the effective date of this subparagraph, the county auditor-controller may determine which is the largest special district for purposes of this section.

(4) One member appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public appointed by the county board of supervisors.

(7) One member representing the employees of the former redevelopment agency appointed by the mayor or chair of the board of supervisors, as the case may be, from the recognized employee organization representing the largest number of former redevelopment agency employees employed by the successor agency at that time. In the case where city or county employees performed administrative duties of the former redevelopment agency, the appointment shall be made from the recognized employee organization representing those employees. If a recognized employee organization does not exist for either the employees of the former redevelopment agency or the city or county employees performing administrative duties of the former redevelopment agency, the appointment shall be made from among the employees of the successor agency. In voting to approve a contract as an enforceable obligation, a member appointed pursuant to this paragraph shall not be deemed to be interested in the contract by virtue of being an employee of the successor agency or community for purposes of Section 1090 of the Government Code.

(8) If the county or a joint powers agency formed the redevelopment agency, then the largest city by acreage in the territorial jurisdiction of the former redevelopment agency may select one member. If there are no cities with territory in a project area of the redevelopment agency, the county superintendent of education may appoint an additional member to represent the public.

(9) If there are no special districts of the type that are eligible to receive property tax pursuant to Section 34188, within the territorial jurisdiction of the former redevelopment agency, then the county may appoint one member to represent the public.
(10) If a redevelopment agency was formed by an entity that is both a charter city and a county, the oversight board shall be composed of seven members selected as follows: three members appointed by the mayor of the city, if that appointment is subject to confirmation by the county board of supervisors, one member appointed by the largest special district, by property tax share, with territory in the territorial jurisdiction of the former redevelopment agency, which is the type of special district that is eligible to receive property tax revenues pursuant to Section 34188, one member appointed by the county superintendent of education to represent schools, one member appointed by the Chancellor of the California Community Colleges to represent community college districts, and one member representing employees of the former redevelopment agency appointed by the mayor of the city if that appointment is subject to confirmation by the county board of supervisors, to represent the largest number of former redevelopment agency employees employed by the successor agency at that time.

(11) Each appointing authority identified in this subdivision may, but is not required to, appoint alternate representatives to serve on the oversight board as may be necessary to attend any meeting of the oversight board in the event that the appointing authority's primary representative is unable to attend any meeting for any reason. If an alternate representative attends any meeting in place of the primary representative, the alternate representative shall have the same participatory and voting rights as all other attending members of the oversight board.

(b) The governor may appoint individuals to fill any oversight board member position described in subdivision (a) that has not been filled by May 15, 2012, or any member position that remains vacant for more than 60 days.

(c) 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.

(d) Oversight board members are protected by the immunities applicable to public entities and public employees governed by Part 1 (commencing with Section 810) and Part 2 (commencing with Section 814) of Division 3.6 of Title 1 of the Government Code.

(e) A majority of the total membership of the oversight board shall constitute a quorum for the transaction of business. A majority vote of the total membership of the oversight board is required for the oversight board to take action. The oversight board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974. All actions taken by the oversight board shall be adopted by resolution.

(f) All notices required by law for proposed oversight board actions shall also be posted on the successor agency's Internet Web site or the oversight board's Internet Web site.

(g) Each member of an oversight board shall serve at the pleasure of the entity that appointed such member.

(h) (1) The department may review an oversight board action taken pursuant to this part. Written notice and information about all actions taken by an oversight board shall be provided to the department as an approved resolution by electronic means and in a manner of the department's choosing. Without abrogating the department's authority to review all matters related to the Recognized Obligation Payment Schedule pursuant to Section 34177, oversight boards are not required to submit the following oversight board actions for department approval:

(A) Meeting minutes and agendas.

(B) Administrative budgets.

(C) Changes in oversight board members, or the selection of an oversight board chair or vice chair.

(D) Transfers of governmental property pursuant to an approved long-range property management plan.
(E) Transfers of property to be retained by the sponsoring entity for future development pursuant to an approved long-range property management plan.

(2) An oversight board action submitted in a manner specified by the department shall become effective five business days after submission, unless the department requests a review of the action. Each oversight board shall designate an official to whom the department may make those requests and who shall provide the department with the telephone number and e-mail contact information for the purpose of communicating with the department pursuant to this subdivision. Except as otherwise provided in this part, in the event that the department requests a review of a given oversight board action, it shall have 40 days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and the oversight board action shall not be effective until approved by the department. In the event that the department returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit the modified action for department approval and the modified oversight board action shall not become effective until approved by the department. If the department reviews a Recognized Obligation Payment Schedule, the department may eliminate or modify any item on that schedule prior to its approval. The county auditor-controller shall reflect the actions of the department in determining the amount of property tax revenues to allocate to the successor agency. The department shall provide notice to the successor agency and the county auditor-controller as to the reasons for its actions. To the extent that an oversight board continues to dispute a determination with the department, one or more future Recognized Obligation Payment Schedules may reflect any resolution of that dispute. The department may also agree to an amendment to a Recognized Obligation Payment Schedule to reflect a resolution of a disputed item; however, this shall not affect a past allocation of property tax or create a liability for any affected taxing entity.

(i) Oversight boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188. Further, the provisions of Division 4 (commencing with Section 1000) of the Government Code shall apply to oversight boards. Notwithstanding Section 1099 of the Government Code, or any other law, any individual may simultaneously be appointed to up to five oversight boards and may hold an office in a city, county, city and county, special district, school district, or community college district.

(j) Except as specified in subdivision (q), commencing on and after July 1, 2018, in each county where more than one oversight board was created by operation of the act adding this part, there shall be only one oversight board, which shall be staffed by the county auditor-controller, by another county entity selected by the county auditor-controller, or by a city within the county that the county auditor-controller may select after consulting with the department. Pursuant to Section 34183, the county auditor-controller may recover directly from the Redevelopment Property Tax Trust Fund, and distribute to the appropriate city or county entity, reimbursement for all costs incurred by it or by the city or county pursuant to this subdivision, which shall include any associated startup costs. However, if only one successor agency exists within the county, the county auditor-controller may designate the successor agency to staff the oversight board. The oversight board is appointed as follows:

(1) One member may be appointed by the county board of supervisors.

(2) One member may be appointed by the city selection committee established pursuant to Section 50270 of the Government Code. In a city and county, the mayor may appoint one member.

(3) 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.

(4) One member may be appointed by the county superintendent of education to represent schools if the superintendent is elected. If the county superintendent of education is appointed, then the appointment made pursuant to this paragraph shall be made by the county board of education.

(5) One member may be appointed by the Chancellor of the California Community Colleges to represent community college districts in the county.

(6) One member of the public may be appointed by the county board of supervisors.
(7) One member may be appointed by the recognized employee organization representing the largest number of successor agency employees in the county.

(k) The governor may appoint individuals to fill any oversight board member position described in subdivision (j) that has not been filled by July 15, 2018, or any member position that remains vacant for more than 60 days.

(l) Commencing on and after July 1, 2018, in each county where only one oversight board was created by operation of the act adding this part, then there will be no change to the composition of that oversight board as a result of the operation of subdivision (j).

(m) Any oversight board for a given successor agency, with the exception of countywide oversight boards, shall cease to exist when the successor agency has been formally dissolved pursuant to Section 34187. A county oversight board shall cease to exist when all successor agencies subject to its oversight have been formally dissolved pursuant to Section 34187.

(n) An oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff.

(o) An oversight board is authorized to contract with the county or other public or private agencies for administrative support.

(p) On matters within the purview of the oversight board, decisions made by the oversight board supersede those made by the successor agency or the staff of the successor agency.

(q) (1) Commencing on and after July 1, 2018, in each county where more than 40 oversight boards were created by operation of the act adding this part, there shall be five oversight boards, which shall each be staffed in the same manner as specified in subdivision (j). The membership of each oversight board shall be as specified in paragraphs (1) through (7), inclusive, of subdivision (j).

(2) The oversight boards shall be numbered one through five, and their respective jurisdictions shall encompass the territory located within the respective borders of the first through fifth county board of supervisors districts, as those borders existed on July 1, 2018. Except as specified in paragraph (3), each oversight board shall have jurisdiction over each successor agency located within its borders.

(3) If a successor agency has territory located within more than one county board of supervisors’ district, the county board of supervisors shall, no later than July 15, 2018, determine which oversight board shall have jurisdiction over that successor agency. The county board of supervisors or their designee shall report this information to the successor agency and the department by the aforementioned date.

(4) The successor agency to the former redevelopment agency created by a county where more than 40 oversight boards were created by operation of the act adding this part, shall be under the jurisdiction of the oversight board with the fewest successor agencies under its jurisdiction.

(Amended by Stats. 2015, Ch. 325, Sec. 11. Effective September 22, 2015.)
REPORTS:

7. REPORT OF THE GENERAL MANAGER:
REPRESENTATIONS:

8. DIRECTORS’ REPORTS AND COMMENTS: