

ITEM 4A

MINUTES

The Directors of the **North City West School Facilities Financing Authority** and Community Facilities District 1 & 2 of the North City West School Facilities Financing Authority held a **Regular Meeting on September 14, 2017** at Solana Beach School District Offices, 309 North Rios Avenue, Solana Beach, CA, 92075. (The letters "JPA" will be used in place of North City West School Facilities Financing Authority and the letters "CFD" will be used in place of Community Facilities Districts 1 & 2).

1. CALL TO ORDER

The meeting was called to order by Chairperson Dill at 2:30 p.m.

ROLL CALL

Directors: Eric Dill, Board Chairperson, San Dieguito Union High School District
Terry Decker, Solana Beach School District
Holly McClurg, Alternate Director, Del Mar Union School District (arrived after items 3. And 4. Votes).

Quorum Achieved

Other Personnel, Member Districts:

John Addleman, Alternate Director, San Dieguito Union High School District
Lisa Davis, Alternate Director, Solana Beach School District
Caroline Brown, Solana Beach School District
Cathy Birks, Del Mar Union School District
Tina Douglas, San Dieguito Union High School District

Administration: Gladys Medina, Willdan Financial Services
Bob Quaid, Willdan Financial Services

Guests: Warren Diven, Best Best & Krieger.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

Moved by Director Decker, seconded by Chairperson Eric Dill to approve the September 14, 2017 agenda.

Ayes: Dill, Decker. Motion Carried: 2:0:0

4. APPROVAL OF MINUTES

Moved by Director Decker, seconded by Chairperson Dill to approve the minutes for the 6-8-17 Regular Meeting minutes.

Ayes: Dill, Decker. Motion Carried: 2:0:0

5. PUBLIC COMMENT

There were no comments from the public.

6. FINANCIAL REPORTS

- No Building Permits issued.
- All special taxes apportionments for fiscal year 2016-17 were received from the County.
- MKS one-time special tax of \$2 million received in September 2017 and deposited to CFD No. 3 fund account with the County.
- One Paseo Mitigation Fee of \$3,636,288 received in June 2017 and deposited to the One Paseo account with the County.

7. ACTION ITEMS

- A. Motion by Director Decker, seconded by Director McClurg to approve the Agreement with Wilkinson Hadley & King Co., LLP to perform annual independent audit of FY2016-17 North City West School Facilities Financing Authority financial statements for an amount not to exceed \$6,200 including expenses.

No discussion.

Ayes: Dill, Decker, McClurg. Motion Carried: 3:0:0

- B. Motion by Director Decker, seconded by Director McClurg to approve and file FY 2016-17 Mitigation Fee Report as required by Government Code Section 66006.

No discussion.

Ayes: Dill, Decker, McClurg. Motion Carried: 3:0:0

8. DISCUSSION ITEMS

- A. Warren Diven from Best Best & Krieger provided legal interpretation of Facilities Funding Agreement regarding cost overrun provisions for the Del Mar Fourth Elementary School (i.e. Ocean Air Elementary) in response to Bowie, Arneson, Wiles and Giannone opinion letter ("Bowie Letter").

- The Bowie letter stated Del Mar was entitled to 100% reimbursement for cost overruns on Ocean Air Elementary School.
- The 2002 Facilities Funding Agreement states reimbursement of Del Mar overruns would be based on portion of students projected to be generated from the North City West area in the most Authority's most recently adopted facilities plan.
- The 2001 Facilities Financing Plan appears to be the most recently adopted Authority plan, which projected 687 students would be generated from the North City West/Carmel Valley area to attend in Del Mar and the Del Mar Fourth Elementary School should be designed for 700 student capacity.
- Next Board Meeting will discuss as Action Item the proposed allocation of overrun cost based on students generated by North City West SFFA.

- B. Board Members discuss the allocation between Member Agencies of One Paseo Mitigation Fee and CFD 3 Special Tax.

- Allocation can be determined based off student generation factor grades K-6 & 7-12.
- Allocation can be determined based off pro-rata share of facility cost taken from statutory fees.

- John Addleman to provide facility cost allocation – 52.53% for High School sites and 47.47% for Elementary School sites.
 - Will discuss with Council Member, Bri next City Council Meeting in 2 weeks and Capital Advisors Group, legislature to clarify codes and clean up Legislation to allow operation of Mitigation fees.
 - Action Item to be discussed at next Regular Board Meeting – Codify split for plot of land re-zoned for future land re-zones and cost overrun based off splits.
- C. Board agreed to move forward with development of NCWSFFA website at a low bid of \$700 with an annual ongoing cost of \$300 for quarterly maintenance.

11. ADJOURNMENT OF MEETING

Moved by Director McClurg, seconded by Director Decker to adjourn meeting.

Ayes: Decker, McClurg, Dill. Motion Carried: 3:0:0.

Chairperson Dill adjourned the meeting at 3:07 P.M.

The next Regular Board Meeting will be on December 14, 2017 at the Solana Beach District Office. The District Office is located at 309 North Rios Avenue, Solana Beach, CA. 92075.



Board Secretary

12/14/17

Date