REPORT TO ONIZUKA LRA **NO: LRA 08-003**

Onizuka LRA Meeting: August 26, 2008

SUBJECT: Selection of LRA Officers and LRA Executive Committee Members

REPORT IN BRIEF

The Department of Defense (DOD) formally recognized the City of Sunnyvale as the Local Redevelopment Authority (LRA) for Onizuka Air Force Station (AFS) on April 6, 2006. Shortly after being notified of its authority, on April 11, 2006, the Onizuka LRA developed bylaws identifying operating rules and duties, and the process for appointing officers, subcommittees and task forces.

According to LRA Bylaws, the LRA shall annually select a Chairperson and Vice-Chairperson. The Bylaws also identify the role of and selection process for the LRA Executive Committee, which is composed of three LRA members: the Chair, Vice Chair and another LRA member as determined by the LRA. At its May 8, 2007 meeting, in addition to selecting officers, the LRA made appointments to the LRA Executive Committee to handle specific LRA functions. The term of office for both LRA officers and Executive Committee members is one year from date of appointment. According to the LRA Bylaws, the LRA term of membership shall continue until the LRA is dissolved upon determination that it is in the best interest of the City. The final reuse plan is currently scheduled to be submitted to the DOD in December 2008.

Staff recommends that the LRA take the following actions:

1) Select a Chairperson and Vice-Chairperson for the LRA.
2) Select one member for LRA Executive Committee to serve with the Chairperson and Vice-Chairperson for the LRA to constitute the three-member Executive Committee.

BACKGROUND

In 2005 the Secretary of Defense published in the Federal Register and transmitted to the Congressional Defense Committees and the Defense Base Realignment and Closure (BRAC) Commission a list of military installations that the Secretary of Defense recommended for closure or realignment. Onizuka AFS was included in the list and its closure has since been confirmed. By federal law, closure of Onizuka AFS must be completed by September 2011.

DOD formally recognized the City of Sunnyvale as the LRA on April 6, 2006. While serving as the LRA Sunnyvale City Council fulfills a number of important

responsibilities including serving as the primary community point of contact for all matters relating to closure of Onizuka AFS, conducting outreach efforts, and designing a comprehensive plan for reuse of the property, culminating in submitting a redevelopment plan for review by the Department of Housing and Urban Development and the Department of Defense.

EXISTING POLICY

Legislative/Management Sub Element, Goal 7.3C - Participate in intergovernmental activities, including national, state and regional groups, as a means to represent the City's interests, influence policy and legislation, and enhance awareness.

DISCUSSION

The Onizuka LRA has undertaken significant planning efforts which will culminate in the development of a reuse plan (currently scheduled for submission to the DOD in December 2008). Reuse planning for Onizuka AFS will proceed according to Base Realignment and Closure (BRAC) timelines and requirements. On April 11, 2006, shortly after notification of its authority, the LRA approved bylaws (Attachment A) to govern its selection of officers, task forces, operations and duties.

LRA Officers

According to LRA Bylaws, the LRA shall annually select a Chairperson and Vice-Chairperson. The term of office is one year from date of appointment. LRA Officers were last appointed on May 8, 2007. Duties of the Chairperson and Vice Chairperson of the LRA are described in detail in the LRA Bylaws. A summary of the duties is as follows:

1) The Chairperson shall preside at all meetings of the members;
2) The Vice-Chairperson, in the absence of the Chairperson, shall perform the duties of the Chairperson; and
3) The Chairperson and Vice-Chairperson shall serve on the Onizuka LRA Executive Committee.

The current LRA officers are:

Authority Member Ron Swegles, Chairperson
Authority Member John Howe, Vice-Chairperson

LRA Executive Committee

At its April 11, 2006 meeting, in addition to selecting officers, the LRA formed and made appointments to the LRA Executive Committee to handle specific LRA functions as designated in the LRA Bylaws. To date, the Executive Committee has met five times: on June 15, 2006 to appoint members to the Citizen's Advisory Committee; on August 29, 2006 to determine information required of Homeless Services Providers submitting Notices of Interest in the Onizuka Air Force Station site; on June 12, 2007 to appoint members to the

Citizen's Advisory Committee; on January 24, 2008 to appoint members to the Citizen's Advisory Committee; and on April 29, 2008 to review Onizuka Air Force Station Citizen's Advisory Committee Membership, Current Vacancy, and Duration.

The LRA Bylaws stipulate that the LRA Chair and Vice Chair constitute two members of the three-member Executive Committee, therefore only a single additional LRA appointment is needed. The current Executive Committee members are:

Authority Member Ron Swegles, LRA Chairperson
Authority Member John Howe, LRA Vice-Chairperson
Authority Member Christopher ~~Molyan~~Moylan

Citizen's Advisory Committee (CAC)
The LRA representatives to the CAC are Authority Chairperson Ron Swegles and Authority Member John Howe. On July 16, 2008 the CAC recommended a land use option for Onizuka AFS as the last scheduled step in the CAC's advisory role to the Onizuka LRA in the planning for Onizuka's transition to civilian reuse.

FISCAL IMPACT
There is no fiscal impact to this report.

PUBLIC CONTACT
Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, in the Council Chambers lobby, in the Office of the City Clerk, at the Library, Senior Center, Community Center and Department of Public Safety; posting the agenda and report on the City's Web site; and making the report available at the Library and the Office of the City Clerk.

ALTERNATIVES
1. Select a Chairperson and Vice-Chairperson for the LRA.
2. Select one member for LRA Executive Committee to serve with the Chairperson and Vice-Chairperson for the LRA to constitute the three-member Executive Committee.
3. Other action as directed by Council.

RECOMMENDATION
Staff recommends Alternatives 1 and 2 as follows:
1. Select a Chairperson and Vice-Chairperson for the LRA.
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Authority Member Christopher Moylan

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Authority Member John Howe, LRA Vice-Chairperson
Authority Member Christopher Molyan

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Reviewed by:

_____
Robert Walker, Assistant City Manager
Prepared by: Robert Switzer, Onizuka BRAC Project Manager

Approved by:

_____
Amy Chan
City Manager

Attachments

A. Bylaws of the Onizuka AFS LRA

BYLAWS OF THE ONIZUKA AIR FORCE STATION LOCAL REDEVELOPMENT AUTHORITY

ARTICLE I – NAME

The name of the agency is the Onizuka Air Force Station Local Redevelopment Authority, hereinafter referred to as "Onizuka LRA."

ARTICLE II – PURPOSE

To create a public agency to facilitate the discussion of issues and recommendations related to the community and economic development potential and reuse of Onizuka Air Force Station (AFS).

ARTICLE III – MEMBERSHIP

Section 1. Composition. The Onizuka LRA shall consist of seven members who are elected City Council members of the City of Sunnyvale. The Onizuka LRA may appoint members of the community to serve on taskforces created by the Onizuka LRA.

Section 2. Term of Membership. The term of membership for each member of the Onizuka LRA shall commence with certified election to Sunnyvale City Council and shall continue until a successor is elected and qualified or until the LRA is dissolved upon determination that it is in the best interest of the City (See Article XI).

Section 3. Voting Rights. Each member shall be entitled to one (1) vote on each matter submitted to a vote of the members. Members must be present to vote, and voting by proxy shall not be permitted.

Section 4. Transfer of Membership. Membership and its privileges is not transferable or assignable.

Section 5. Vacancies. Vacancies in the membership of Onizuka LRA may be filled in the same manner as provided in the Sunnyvale City Charter, Article VI, Section 604.

ARTICLE IV – MEETINGS OF MEMBERSHIP

Section 1. Annual Meeting. An annual meeting of the Onizuka LRA shall be held during the first month of the calendar year or at another date designated by the Chairperson for the purpose of electing officers and for the transaction of such other matters as may come before the meeting.

a. Election of Officers. The membership shall select from its members a Chair and Vice Chair. The Vice Chair shall serve as Chair in the absence of the Chair.

Section 2. Special Meetings. Special meetings of the Onizuka LRA may be called by the Chairperson or by vote of four or more members of the Onizuka LRA for the transaction of such business as may come before the LRA.

Section 3. Place of Meetings. All meetings shall be convened in the Council Chambers of Sunnyvale City Hall but may be thereafter adjourned to such other locations as may be selected by the Onizuka LRA. All meetings of the Onizuka LRA shall be open to the public. If, by reason of fire, flood, or other emergency, it shall be unsafe to meet in the place designated, the meetings may be held for the duration of the emergency at such place as is designated by the Chair, or, if he/she should fail to act, by four members of the Onizuka LRA.

Section 4. Notice of Meetings. Notice stating the place, day, and hour of any meeting of members shall be delivered, either personally, by email or by mail to each member before the date of such meeting, in conformance with the Ralph M. Brown Act, Government Code §54950 *et seq.*, by or at the direction of the Chairperson or a majority of the membership.

Section 5. Quorum. A majority of members of the Onizuka LRA shall constitute a quorum.

ARTICLE V – DUTIES OF THE ONIZUKA LRA

The Onizuka LRA shall be the body responsible for all reuse planning activities, including development of the Reuse Plan and, if necessary, implementation of the redevelopment plan for Onizuka AFS. The duties of the Onizuka LRA shall be:

a. To serve as the single community point of contact for all matters relating to the closure of the base.

b. To serve as the single entity responsible for preparing the Onizuka AFS Reuse Plan, if necessary.

c. To serve as the primary agency for all grant/aid applications related to transition, reuse and redevelopment.

d. To serve as the lead agency for the California Environmental Policy Act (CEQA) review and to negotiate with and provide support to

regulatory agencies responsible for environmental remediation and other environmental assessments.

e. To facilitate community input and involvement in decision making related to reuse and economic development at Onizuka AFS through establishment of a taskforce representing diverse stakeholders within the City and the region.

f. To evaluate homeless needs in the City of Sunnyvale and balance those needs with other community development objectives during the reuse planning process.

g. To negotiate the final plan for disposition of Onizuka AFS with the Air Force.

ARTICLE VI – OFFICERS

Section 1. Officers. The Officers of the Onizuka LRA shall be a Chairperson and Vice-Chairperson. Staff support to the Onizuka LRA will be provided by the City of Sunnyvale.

Section 2. Election of Office. The Officers shall be elected annually by the Onizuka LRA members from their own membership at the first annual meeting each year. If the election of officers is not held during the annual meeting, the Executive Committee shall cause the election to be held at a special meeting of the members called as soon thereafter as convenient.

Section 3. Duties. The Chairperson shall preside at all meetings of the members; the Vice-Chairperson, in the absence of the Chairperson, shall perform duties of the Chairperson. Sunnyvale's City Clerk shall record and preserve the minutes of all meetings of the membership.

ARTICLE VII – SUBCOMMITTEES AND TASKFORCES

Section 1. Executive Committee. The Onizuka LRA may choose to discharge some of its functions through an Executive Committee. The Executive Committee shall consist of three members, including the Chairperson, the Vice-Chairperson and one other member selected by the members of the Onizuka LRA. The Executive Committee's duties shall include the following:

a. To meet regularly to manage the administrative matters of the Onizuka LRA's operation.

b. To appoint members to Taskforces.

c. To develop and propose to the Onizuka LRA changes in the Onizuka LRA's policies and programs.

d. To prepare, with staff assistance, periodic and annual budgets and reports which shall be presented to the Onizuka LRA for approval.

Section 2. Taskforces. Taskforces may be designated by the membership of the Onizuka LRA as needed. The Onizuka LRA Executive Committee shall be responsible for appointing members to taskforces.

a. Eligibility to Serve On Taskforces. Members of taskforces need not be members of the Onizuka LRA. Taskforce members are subject to the regulations of the Bylaws herein stated.

b. Term of Taskforces. Each member of a taskforce shall be appointed by the Executive Committee of the Onizuka LRA for renewable one-year terms.

c. Chairperson. One member of each taskforce shall be selected chairperson by members of that taskforce.

d. Quorum. A majority of members of a taskforce shall constitute a quorum.

e. Rules. Each taskforce shall abide by procedural rules for its own government, not inconsistent with the Bylaws or the rules adopted by the Onizuka LRA, and not in conflict with the rules, regulations, guidelines, and authority of the City of Sunnyvale.

f. Resignation and Termination of Membership. Any member may resign by filing a written resignation with the Chairperson of the taskforce. Any member who misses three (3) consecutive unexcused meetings shall be deemed to have resigned.

g. Vacancies. Vacancies in the membership of the taskforces may be filled in the same manner as provided in the case of the original selection.

ARTICLE VIII – BOOKS AND RECORDS

The Onizuka LRA shall keep correct and complete books of records of accounts; and shall also keep minutes of the meetings of its membership; and shall keep, at its principal office, a record giving the names and addresses of the members entitled to vote. All books and records of the Onizuka LRA are subject to the California Public Records Act.

ARTICLE IX – FISCAL YEAR

The fiscal year of the Onizuka LRA shall be July 1 to June 30 of each year.

ARTICLE X – DURATION OF THE REDEVELOPMENT AUTHORITY

The Onizuka LRA will continue until the Reuse Plan is developed and implemented for Onizuka AFS or until dissolved by the Sunnyvale City Council.

ARTICLE XI – DISSOLUTION

The Sunnyvale City Council shall have the authority to dissolve the Onizuka LRA if it determines that it is in the best interest of the City.

ARTICLE XII – AMENDMENTS

These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by a majority vote of the Sunnyvale City Council. The Onizuka LRA may recommend to the City Council that the Bylaws be altered, amended, or repealed and new Bylaws be adopted by a majority vote of the Onizuka LRA membership in any meeting, provided that at least seven (7) days written notice be given of intention to alter, amend, repeal, or to adopt new Bylaws at such meeting.