RESOLUTION NO. OB 2012-04

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE REDEVELOPMENT AGENCY OF THE CITY OF EAST PALO ALTO APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE SIX MONTH PERIOD ENDING DECEMBER 31, 2012, AND MAKING RELATED FINDINGS AND DECLARATIONS AND TAKING RELATED ACTIONS IN CONNECTION THEREWITH

WHEREAS, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding ABx1 26 (the "Dissolution Act") largely constitutional; and

WHEREAS, under the Dissolution Act and the California Supreme Court's decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency of the City of East Palo Alto (the "Dissolved RDA"), were dissolved on February 1, 2012; and

WHEREAS, on January 10, 2012, the City Council (the "City Council") of the City of East Palo Alto (the "City") adopted resolution 4226 accepting for the City the role of Successor Agency to the Dissolved RDA (the "Successor Agency"); and

WHEREAS, under the Dissolution Act, the City, in its capacity as Successor Agency, must prepare a "Recognized Obligation Payment Schedule" ("ROPS") that enumerates the enforceable obligations and expenses of the Successor Agency for the six-month period ending December 31, 2012; and

WHEREAS, on April 30, 2012, the Successor Agency staff prepared, for Oversight Board consideration, the ROPS, for the six-month period ending December 31, 2012 (the "Second ROPS"); and

WHEREAS, under the Dissolution Act, the Second ROPS must be approved by the Successor Agency's oversight board (the "Oversight Board") to enable the Successor Agency to continue to make payments on enforceable obligations; and

WHEREAS, pursuant to the Dissolution Act, the duly constituted Oversight Board for the Successor Agency met at a duly noticed public meeting on April 30, 2012 to obtain an overview of the Second ROPS to consider specific obligations listed on the Second ROPS and to consider approval of the Second ROPS, among other approvals; and

WHEREAS, after reviewing the Second ROPS presented to and recommended for approval to the Oversight Board by Successor Agency staff, and after reviewing written and oral comments from the public relating thereto, the Oversight Board desires to approve the Second ROPS with amendments,

and to make the following accompanying findings, resolutions and determinations.

- NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency for the Dissolved RDA hereby finds, resolves, and determines as follows:
- <u>SECTION 1</u>. The foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.
- <u>SECTION 2</u>. Under Health and Safety Code Section 34180(g), establishment of a ROPS for the Successor Agency must be approved by the Oversight Board.
- SECTION 3. The Oversight Board reviewed the Second ROPS attached hereto as Exhibit A. The Oversight Board hereby approves the Second ROPS in the form attached hereto including the agreements and obligations described in Exhibit A, , and hereby determines that such agreements and obligations constitute "enforceable obligations" and "recognized obligations" for all purposes of the Dissolution Act. In connection with such approval, the Oversight Board makes the specific findings set forth below.
- SECTION 4. The Oversight Board has examined the items contained on the Second ROPS and finds that each of them is necessary for the continued maintenance and preservation of property owned by the Successor Agency until disposition and liquidation, the continued administration of the ongoing agreements herein approved by the Oversight Board, or the expeditious wind-down of the affairs of the Dissolved RDA by the Successor Agency.
- <u>SECTION 5</u>. The Successor Agency is authorized and directed to enter into any agreements and amendments to agreements necessary to memorialize and implement the agreements and obligations in the ROPS, included here as Exhibit A, and herein approved by the Oversight Board.
- SECTION 6. The Oversight Board authorizes and directs the Successor Agency staff to take all actions necessary under the Dissolution Act to post the Second ROPS on the Successor Agency website, transmit the Second ROPS to the Auditor-Controller of the County of San Mateo and to the State Controller and the State Department of Finance, and to take any other actions necessary to ensure the validity of the ROPS included in Exhibit A, and the validity of any enforceable obligation approved by the Oversight Board in this Resolution.
- **SECTION 7**. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

ADOPTED on April 30, 2012 by the Members of the Oversight Board of the Successor Agency for the Redevelopment Agency of the City of East Palo Alto with the following vote, to wit:

AYES: 7 AYES Unanimous Vote

NOES: ABSENT: ABSTAIN:

Chair

Oversight Board Secretary

Approved as to form, OSB Counsel

Exhibit A

Successor Agency for the Redevelopment Agency of the City of East Palo Alto Gateway - University Circle - Ravenswood Merged Project Areas

RECOGNIZED OBLIGATION PAYMENT SCHEDULE Por AB 26 - Soction 34169 (h) and 34177 July 1, 2012 to Docombor 31, 2012

)ect			Estimated Total Outstanding Debt or Obligation as of	Estimated Total Due During Fiscal	Funding	ESTIMATE	D PAYMENT O	ESTIMATED PAYMENT OBLICATIONS JULY, 2012 THROUGH DECEMBER, 2012	.Y, 2012 THRC	NGH DECEMB	ER, 2012	Estimated Six Month Total
Project Name / Debt Obligation	514 51A	Payee	Description	July 1, 2012	Year 2012-2013	Source	Jul	Aug	Sept	Oct	Nov	Dec	Payments
1) Ravenswood	α	Mento Fire Protection District	Parmentner CRI 33401	8 476 340 00	37.260.00	d							
2) Ravenswood	α	MidPeninsula Open Space	Payment per CRL 33401	611,575.00	2,825.00	×							
3) Ravenswood	α	Mosquito Abatement Dist.	Payment per CRL 33401	51,595.00	230.00	4							
4) Ravenswood	α	City of East Palo Alto	Payment per CRL 33676	4,094,015.00	50,385.00	٨							,
5) Ravenswood	α	San Mateo County	Payment per CRL 33676	590,435.00	7,265.00	⋖							
6) Ravenswood	α	SMC Library	Payment per CRL 33676	283,905.00	3,495.00	٨							,
7) Ravenswood	α	EPA Sanitary District	Payment per CRL 33676	499,850.00	6,150.00	A							
B) University Circle	nc	Menio Fire Protection District	Payment per CRL 33401	7,331,550.00	415,200.00	A							s
9) University Circle	nc	EPA Sanitary District	Payment per CRL 33401	272,362.00	160,855.00	٨							
10) University Circle	nc	Sequola High School	Payment per CRL 33401	157,920.00	3,280.00	4							
11) University Circle	on	Ravenswood Elementary	Payment per CRL 33401	393,130.00	8,170.00	4							
12) University Circle	on	County Office of Education	Payment per CRL 33401	35,760.00	740.00	٧							
13) University Circle	on	SMC Community College Dist.	Payment per CRL 33401	68,575.00	1,425.00	4							69
14) Gateway	O	Menio Fire Protection District		8,145,855.00	117,295.00	∢							
15) Gateway	υ	SMC Community College Dist.		2,655,535.00	38,240.00	∢							
16) Gateway	O	MidPeninsula Open Space	Payment per CRL 33401	627,910.00	9,040.00	4							•
17) Gateway	0	Raymer Wood Flementary	Payment per CRL 33401	5,360,980.00	77,195.00	« «							
19) Gateway	0	City of East Palo Ato	Payment per CRL 33676	1,693,730,00	19.520.00	<							9 69
20) Repayment Agreement (06/1989)	α	City of East Palo Alto	Loan for Operating Advances	5,932,122.00	1,075,145.00	4							
21) Repayment Agreement (06/1989)	G,UC,R	G,UC,R City of East Palo Alto	Infrastucture Improvements	36,208,712.00	00.0	<							6
22) Bay Road Infrastructure Improvements	G,UC,R	G,UC,R City of East Palo Alto	Local match for Bay Road Infrastructure Improvements	1,900,800,00	950,400.00	4	79,200.00	79,200.00	79,200,00	79,200.00	79,200.00	79,200,00	\$ 475,200,00
23) Bay Road Infrastructure Improvements	G,UC,R	G,UC,R City of East Palo Alto	Federal Earmark Grant for Bay Road Infrastructure Improvements	9,503,000.00	3,801,200.00	L	316,767.00	316,767.00	316,767,00	316,767,00	n	-	-
24) Repayment Agreement (02/1995)	υ	City of East Palo Alto	Debt for Land Sold to Agency	6,036,452.00	188,639.00	∢					L		ı
25) Series A	C'NC	GUC Wells Fargo Bank Trust	Partial refunding of 1999 TABS	9,696,525.00	263,850.00	4			139,575,00				\$ 139,575.00
2003 Tax Allocation Refunding Bonds, 26) Series B	O'O	Wells Fargo Bank Trust	Partial refunding of 1999 TABS: housing portion	5,547,226.00	266.276.00	∢			171,654.00				\$ 171,654.00
27) 2005 Revenue Bonds, Series A	G,UC	G,UC Wells Fargo Bank Trust	Refunding of 1999 TABS	25,262,860.00	1,414,454.00	٧			1,022,962.00				-
28) Operating Subsidy Loan	α	Bay Road Housing LP	Courtyard Affordable Housing	00'000'006	00'000'09	8						60,000.00	S 60,000.00
29) University Circle Project	S	City of East Palo Ato	Connection	350,000.00	350,000.00	4	0.00	00:00	00.0	00.00	00.0	0.00	
30) Bank Charges for Bond Trustee Mgmt	G,UC	Wells Fargo Bank Trust	Trustee Administrative charges	152,150.00	6,550.00	A		2,500.00		1,550.00		\$ 2,500.00	\$ 6,550.00
Employee Costs for project implementation 31) activities		G,UC,R Employees of Agency	Payroll and Payroll-related Costs	252,366.00	252,366.00	∢	00.0	00:00	00:0	00.0	00.0	00:0	5
Administrative Allowance for personnel, management and administrative support, 32) services, and supplies	G,UC,R	G,UC,R City of East Palo Alto	Administrative Allowance	250,000.00	250,000.00	ш	41,667.00	41,667.00	41,667.00	41,667.00	41,666.00		\$ 250,000.00
Source: (A) Redevelopment Property Tax Trust Fund	rustFund		Totals	\$ 161,932,385,00	\$ 10.127.325.00	69	437.634.00	\$ 440.134.00	\$ 1,771,825.00	\$ 439,184,00	\$ 437 632.00	\$ 500.132.00	\$ 4 026 541 00
(B) Low/Mod Income Housing Fund	ס											\leftarrow	1 1
(C) Bonds Proceeds													
(F) Administrative Cost Allowance													
(F) Grants													
(G) Developer Deposits in Agency Cash	Cash												
Office of the state of the stat	ate		Grand total - All Pages	00 300 000 101 0	00 300 400 00	-		00 101011	the second of th	00 101 00	200000		