

LAST MINUTE AGENDA INFORMATION

4/4/12 Regular Meeting

(Agenda Related Writings/Documents provided to a majority of the City Council after distribution of the Agenda Packet for the April 4, 2012 Regular meeting.)

ITEM NO. **DESCRIPTION**

7.1	<p>RESOLUTION NO. SA-12-05 AND NO. SA-12-06 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY AMENDING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) ADOPTED BY THE SUCCESSOR AGENCY ON FEBRUARY 15, 2012 BY RESOLUTION NO. SA-12-02 FOR THE PERIOD ENDING JUNE 30, 2012, AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD FROM JULY 1, 2012 THROUGH DECEMBER 31, 2012. (0418-50)</p> <p>a. Revised staff report and resolutions</p>
7.2	<p>RESOLUTION NO. SA-12-04 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET AND RELATED ACTIONS. (0418-05)</p> <p>a. Revised staff report and resolution.</p>

**STAFF REPORT
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

TO: CHAIR AND MEMBERS OF THE SUCCESSOR AGENCY

FROM: GARY BROWN, EXECUTIVE DIRECTOR

MEETING DATE: April 4, 2012

ORIGINATING DEPT.: Michael McGrane, Finance Director

SUBJECT: Adoption of Resolution No. SA-12-05 and No. SA-12-06 of the Imperial Beach Redevelopment Agency Successor Agency Amending the Recognized Obligation Payment Schedule (ROPS) Adopted by the Successor Agency on February 15, 2012 by Resolution No. SA-12-02 for the Period Ending June 30, 2012, as Modified Administratively by the Executive Director Pursuant to Resolution No. SA-12-02, and Adopting the Recognized Obligation Payment Schedule for the Period of July 1, 2012 through December 31, 2012

2012 APR -3 AM 11:41
 CITY MANAGER &
 CITY CLERK OFFICE

BACKGROUND:

This report seeks Successor Agency adoption of (i) the attached amended Recognized Obligation Payment Schedule (ROPS) for the period ending June 30, 2012; and (ii) the attached Recognized Obligation Payment Schedule for the period of July 1, 2012 through December 31, 2012.

In accordance with Health and Safety Code Section 34177(l)(2)A) of Assembly Bill X1 26 ("AB 26"), the Successor Agency adopted the draft ROPS on February 15, 2012 by Resolution No. SA-12-02, for the period of January 1, 2012 through June 30, 2012. After the Successor Agency's adoption of the draft ROPS, the San Diego County Auditor-Controller requested that the draft ROPS cover the period of October 1, 2011 through June 30, 2012. In order to accommodate the request of the County Auditor-Controller, the Executive Director of the Successor Agency modified the draft ROPS, pursuant to administrative authority provided to the Executive Director by the Successor Agency as set forth in Resolution No. SA-12-02, and included the period of October 1, 2011 through December 31, 2011 to the draft ROPS.

Pursuant to Health and Safety Code Section 34177(l)(3) of AB 26, the first ROPS shall be submitted to the State of California Controller's Office and the State of California Department of Finance by April 15, 2012 for the period of January 1, 2012 through June 30, 2012. Due to ambiguity in timing and apparent conflict in dates set forth in AB 26 for the certification of the ROPS by the County, the approval of the ROPS by the Oversight Board of the Successor Agency, and the submission of the first ROPS to the State Controller's Office and the Department of Finance, staff of the Successor Agency has determined that the draft ROPS should be amended as the first ROPS for submission to the State Controller's Office and the Department of Finance by April 15, 2012 and revised to reflect the time period of January 1

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 Last minute Agenda
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2012 through June 30, 2012 as required by Health and Safety Code Section 34177(l)(3) of AB 26. In addition, staff has determined that certain information relating to the recognized obligations set forth in the ROPS must be added to and clarified in the ROPS.

The attached amended ROPS for the period ending June 30, 2012 is the same as the previously approved Successor Agency draft ROPS with the following exceptions: (1) the exclusion of October 1, 2011 through December 31, 2011; (2) the Administrative Budget has been updated; and (3) the funding source for item 51 on the RDA Projects page has been corrected to read "Non Housing Funds". If adopted, the amended ROPS will be forwarded to the Oversight Board for review and approval, reviewed for certification by the County Auditor-Controller and reviewed by the State Controller's Office and the Department of Finance. The deadline for submission of the Oversight Board approved ROPS to the State Agencies is April 15, 2012.

In addition, staff is seeking the Successor Agency's adoption of a second ROPS covering the period from July 1, 2012 through December 31, 2012. If adopted, the second ROPS will be forwarded to the Oversight Board for review and approval. The approved ROPS will be forwarded to the County Auditor-Controller and both the State Controller's Office and the Department of Finance and shall be posted on the Successor Agency's internet website. The County is required to make a payment of property tax revenues (i.e. former tax increment funds) to the Successor Agency by June 1, 2012 for payments to be made toward recognized obligations listed on the second ROPS for the period of July 1, 2012 through December 31, 2012.

ENVIRONMENTAL DETERMINATION:

Pursuant to Title 15 of the California Code of Regulations, Section 15378(b)(4), this item is not subject to the California Environmental Quality Act ("CEQA") review because the recommended approvals are not considered a project, and are governmental funding mechanisms and fiscal activities that do not involve any commitment to any specific project which may result in a potentially significant environmental impact.

FISCAL IMPACT:

Adoption of the amended ROPS for the period ending June 30, 2012 and the ROPS for the period of July 1, 2012 through December 31, 2012 is in compliance with the provisions of AB 26 and facilitate the provision of funding to pay enforceable obligations.

DEPARTMENT RECOMMENDATION:

Staff recommends the Successor Agency:

1. Adopt Resolution No. SA-12-05 Amended ROPS January 1, 2012 – June 30, 2012
2. Adopt Resolution No. SA-12-06 ROPS July 1, 2012 – December 31, 2012

EXECUTIVE DIRECTOR'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, Executive Director

Attachments:

1. Resolution No. SA-12-05 Amended ROPS January 1, 2012 – June 30, 2012
2. Resolution No. SA-12-06 ROPS July 1, 2012 – December 31, 2012

RESOLUTION NO.SA-12-05

RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY AMENDING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE ADOPTED BY THE SUCCESSOR AGENCY ON FEBRUARY 15, 2012 BY RESOLUTION NO. SA-12-02 FOR THE PERIOD ENDING JUNE 30, 2012

WHEREAS, the Imperial Beach Redevelopment Agency ("Redevelopment Agency") was a redevelopment agency in the City of Imperial Beach ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the City Council has adopted redevelopment plans for Imperial Beach's redevelopment project areas, and from time to time, the City Council has amended such redevelopment plans; and

WHEREAS, the Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, AB x1 26 ("AB 26") and AB x1 27 ("AB 27") were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code"); and

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.*, Case No. S194861) alleging that AB 26 and AB 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding as constitutional AB 26, invalidating as unconstitutional AB 27, and holding that AB 26 may be severed from AB 27 and enforced independently; and

WHEREAS, the Supreme Court generally reformed and revised the effective dates and deadlines for performance of obligations under Health and Safety Code Part 1.85 of AB 26 arising before May 1, 2012 to take effect four months later, while leaving the effective dates or deadlines for performance of obligations under Health and Safety Code Part 1.8 of AB 26 unchanged; and

WHEREAS, as a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies pursuant to Health and Safety Code Section 34173, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(2)(A) of AB 26, the Successor Agency was required to prepare its draft Recognized Obligation Payment Schedule

("ROPS") by March 1, 2012; and

WHEREAS, in accordance with Health and Safety Code Section 34177(l)(2)A of AB 26, the Successor Agency adopted the draft ROPS on February 15, 2012 by Resolution No. SA-12-02, for the period of January 1, 2012 through June 30, 2012; and

WHEREAS, after the Successor Agency's adoption of the draft ROPS, the San Diego County Auditor-Controller requested that the draft ROPS cover the period of October 1, 2011 through June 30, 2012; and

WHEREAS, to accommodate the request of the County Auditor-Controller, the Executive Director of the Successor Agency modified the draft ROPS, pursuant to administrative authority provided to the Executive Director by the Successor Agency as set forth in Resolution No. SA-12-02, and included the period of October 1, 2011 through December 31, 2011 to the draft ROPS; and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(3) of AB 26, the first ROPS shall be submitted to the State of California Controller's Office and the State of California Department of Finance by April 15, 2012 for the period of January 1, 2012 through June 30, 2012; and

WHEREAS, due to ambiguity in timing and apparent conflict in dates set forth in AB 26 for the certification of the ROPS by the County, the approval of the ROPS by the Oversight Board of the Successor Agency, and the submission of the first ROPS to the State Controller's Office and the Department of Finance, staff of the Successor Agency has determined that the draft ROPS should be amended as the first ROPS for submission to the State Controller's Office and the Department of Finance by April 15, 2012 and revised to reflect the time period of January 1, 2012 through June 30, 2012 as required by Health and Safety Code Section 34177(l)(3) of AB 26. In addition, staff has determined that certain information relating to the recognized obligations set forth in the ROPS must be added to and clarified in the ROPS; and

WHEREAS, the amended ROPS for the period of January 31, 2012 through June 30, 2012 is attached to this Resolution as Exhibit "A" and is substantively the same as the previously approved Successor Agency draft ROPS with the following exceptions: (1) the exclusion of October 1, 2011 through December 31, 2011; (2) the Administrative Budget has been updated; and (3) the funding source for item 51 on the RDA Projects page has been corrected to read "Non Housing Funds"; and

WHEREAS, if adopted by the Successor Agency, the amended ROPS shall thereafter be reviewed and certified by the County, through the use of an external auditor, and submitted to the Oversight Board for review and approval. A copy of the approved amended ROPS shall be submitted to the County Auditor-Controller and both the State Controller's Office and the Department of Finance and shall be posted on the Successor Agency's internet website. The first ROPS shall be submitted to the State Controller's Office and the Department of Finance by April 15, 2012; and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(3) of AB 26, the ROPS shall be forward looking to the next six (6) months and, according to Health and Safety Code Section 34177(l)(1) of AB 26, for each recognized obligation, the ROPS shall identify one

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or more of the following sources of payment: (i) Low and Moderate Income Housing Funds, (ii) bond proceeds, (iii) reserve balances, (iv) administrative cost allowance, and (v) the Redevelopment Property Tax Trust Fund but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation or by the provisions of Part 1.85 of AB 26; and

WHEREAS, Health and Safety Code Section 34177(a)(1) of AB 26 requires the Successor Agency to continue to make payments due for enforceable obligations and, from February 1, 2012 until a ROPS becomes operative, only payments required pursuant to the Enforceable Obligations Payment Schedule shall be made; and

WHEREAS, it is the intent of AB 26 that the ROPS serve as the designated reporting mechanism for disclosing the Successor Agency's bi-annual payment obligations by amount and source and, subsequent to the audit and approval of the ROPS as specified in AB 26, the County Auditor-Controller will be responsible for ensuring that the Successor Agency receives revenues sufficient to meet the requirements of the ROPS during each bi-annual period; and

WHEREAS, notwithstanding the provisions of Health and Safety Code Section 34177(a)(1), agreements between the City and the Redevelopment Agency have been included in the ROPS because, among other things, they have been validated by operation of law prior to the Governor's signature of AB 26 on June 28, 2011; and

WHEREAS, the proposed amended ROPS attached to this Resolution as Exhibit "A" is consistent with the requirements of the Health and Safety Code and other applicable law; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Imperial Beach Redevelopment Agency Successor Agency, as follows:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB X1 26 through administrative or judicial proceedings.
- Section 3.** The Successor Agency's amended ROPS, which is attached hereto as Exhibit "A", is approved and adopted.

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- Section 4.** The Executive Director, or designee, is hereby authorized and directed to:
i) provide the ROPS to the Oversight Board for review and approval; and
ii) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution on behalf of the Successor Agency.
- Section 5.** The Successor Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.
- Section 6.** This Resolution shall take effect upon the date of its adoption.
- Section 7.** The Executive Director, or designee, is hereby authorized to make such non-substantive changes and amendments to the ROPS as may be approved by the Executive Director of the Successor Agency and its legal counsel.

PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 4th day of April 2012, by the following vote:

AYES: BOARDMEMBERS:
NOES: BOARDMEMBERS:
ABSENT: BOARDMEMBERS:

JAMES C. JANNEY
CHAIRPERSON

ATTEST:

JACQUELINE M. HALD, MMC
SECRETARY

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EXHIBIT "A"

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY
AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE
January 1, 2012 through June 30, 2012
("First ROPS")**

**Approved on February 15, 2012
Amended on April 4, 2012**

(See Attachment)

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RECOGNIZED OBLIGATION PAYMENT SCHEDULE January 1 - June 30, 2012 (First ROPS)
 Per AB 26 - Section 34167 and 34169

	Project Name / Debt Obligation	Payee	Description	Funding	Payments by month 2012					
					January	February	March	April	May	June
Debt Obligations										
1	2003 Tax Allocation Bonds Series	Wells Fargo Bank	Bond Debt Service	Non-Housing & Low Mod					\$ 1,542,394	\$1,542,394
2	2010 Tax Allocation Bonds Series	Wells Fargo Bank	Bond Debt Service	Non-Housing					\$ 1,051,908	\$1,051,908
3	City Loan 1995	City of Imperial Beach	Loan to finance start up costs	Non-Housing					\$ 224,288	\$224,288
4										\$0
5										\$0
6										\$0
7										\$0
8										\$0
9										\$0
10										\$0
11										\$0
12										\$0
13										\$0
14										\$0
15										\$0
16										\$0
17										\$0
18										\$0
19										\$0
20										\$0
Totals - Debt Obligations - This Page					\$ -	\$ -	\$ -	\$ -	\$ 2,818,586	\$ 2,818,586
Totals - Housing Program Related - Page 2					\$166,983	\$1,199,683	\$132,500	\$132,500	\$132,500	\$3,446,724
Totals - RDA Operating - Page 3					\$758,670	\$138,798	\$131,598	\$119,573	\$129,673	\$1,410,031
Totals - RDA Projects - Page 4					\$3,744,540	\$3,640,651	\$1,118,971	\$1,267,129	\$1,102,781	\$12,416,454
Totals - Pass Through Obligations- Page 5					\$0	\$0	\$0	\$0	\$576,814	\$576,814
Total Enforceable Obligations					\$4,670,193	\$4,919,132	\$1,383,069	\$1,619,202	\$4,760,254	\$4,820,926

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 26 on June 28, 2011.

** Months October through December were added administratively pursuant to Reso SA 12-02 . The Successor Agency Board ratification is scheduled for March 7, 2012.

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Project Area(s): All

RECOGNIZED OBLIGATION PAYMENT SCHEDULE January 1 - June 30, 2012 (First ROPS)
Per AB 26 - Section 34167 and 34169

Project Name / Debt Obl	Payee	Description	Funding	Payments by month 2012						Total	
				Jan	Feb	Mar	Apr	May	Jun		
Housing Programs											
1	Housing Management	See Attached	Mgt costs for Low/Mod Housing Program	Low/Mod funds	\$ 24,644	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24,644
2	Housing Agreement	Imperial Beach	Support costs	Low/Mod funds		\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 75,000
3	Hemlock Monitoring	Housing Authority/City Finance	South Bay Comm. Svcs Loan	Low/Mod funds						\$ 2,611	\$ 2,611
4	Calla Monitoring	Housing Authority/City Finance	South Bay Comm. Svcs Loan	Low/Mod funds						\$ 2,611	\$ 2,611
5	Beachwind Monitoring	Housing Authority/City Finance	Beachwood Loan	Low/Mod funds						\$ 2,611	\$ 2,611
6	Housing Reporting	Housing Authority/City Finance	RDA Statutory Compliance	Low/Mod funds						\$ 6,765	\$ 6,765
7	Clean & Green Monitor	Housing Authority	10 yr Contract Compliance	Low/Mod funds						\$ 193	\$ 193
8	Deficit Housing Oblig.	Housing Authority	RDA Statutory Compliance	Low/Mod funds						\$ 5,000	\$ 5,000
9	Age Proportionality	Housing Authority	RDA Statutory Compliance	Low/Mod funds						\$ 5,000	\$ 5,000
10	American Legion	Kane Ballmer	Low/Mod Housing Project	Low/Mod funds		\$ 10,000					\$ 10,000
11	American Legion	Keyser Marston Assoc.	Low/Mod Housing Project	Low/Mod funds		\$ 10,000					\$ 10,000
12	American Legion	Hitzke Development	Low/Mod Housing Project	Low/Mod funds	\$ 81,717	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 3,388,571	\$ 3,880,288
13	American Legion	Project Management	Low/Mod Housing Project	Low/Mod funds	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500	\$ 75,000
14	Housing Element	Tam	Housing Element	Low/Mod funds	\$ 1,386	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,862	\$ 27,268
15	Clean & Green**	A.E. CHARLES CONSTRUCTION	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
16	Clean & Green**	AFFORDABLE RAINGUTTERS	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
17	Clean & Green**	A-FRAME CONSTRUCTION, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
18	Clean & Green**	ALTERNATIVE ENERGY TECHNOLOGIES	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
19	Clean & Green**	BARROWS CONSTRUCTION	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
20	Clean & Green**	CALIFORNIA ALUMINUM & VINYL WINDOWS	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
21	Clean & Green**	CHICAGO TITLE INSUR CO	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
22	Clean & Green**	COOK CONSTRUCTION AND DESIGN, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
23	Clean & Green**	DELTA SOLAR ELECTRIC	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
24	Clean & Green**	DON MOORE CONSTRUCTION	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
25	Clean & Green**	GB'S FENCE COMPANY	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
26	Clean & Green**	GREGORY HUGHES	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
27	Clean & Green**	HARLAN CONSTRUCTION	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
28	Clean & Green**	HELPER'S ELECTRIC COMPANY, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
29	Clean & Green**	KENNEY ROOFING	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
30	Clean & Green**	MCBREATHY CONSTRUCTION CORP.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
31	Clean & Green**	MILHOLLAND ELECTRIC, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
32	Clean & Green**	ROCK AND ROSE LANDSCAPE	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
33	Clean & Green**	RODS ROOTER	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
34	Clean & Green**	SAM & SONS PLUMBING	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
35	Clean & Green**	SIERRA WINDOW CONCEPTS, LTD	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
36	Affordable Housing	SOUTH BAY COMMUNITY SVCS	Tax Exempt Bond Indenture Project	Low/Mod Bond		\$ 12,183					\$ 12,183
37	Clean & Green**	STORM GENERAL BUILDERS, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
38	Clean & Green**	SUACCI	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
39	Clean & Green**	U.S. BANK CORPORATE PAYMENT	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
40	Clean & Green**	WEST COAST APPLIANCE SERVICES, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
41	Clean & Green**	WESTERN WINDOW REPLACEMENT	Tax Exempt Bond Indenture Project	Low/Mod Bond	\$ 21,266						\$ 21,266
42	Clean & Green**	Al Charles Design	Tax Exempt Bond Indenture Project	Low/Mod Bond	\$ 2,400						\$ 2,400
43	Clean & Green**	Helpers Electric	Tax Exempt Bond Indenture Project	Low/Mod Bond	\$ 13,140						\$ 13,140
44	Clean & Green	Various Contractors	Tax Exempt Bond Indenture Project	Low/Mod Bond		\$ 380,000					\$ 380,000
45	Housing Project	Habitat P.M.	Tax Exempt Bond Indenture Project	Low/Mod Bond		\$ 500,000					\$ 500,000
46	Housing Project	Project Management for Habitat	Tax Exempt Bond Indenture Project	Low/Mod Bond		\$ 95,000					\$ 95,000
47											\$ -
Totals - This Page					\$166,983	\$1,139,683	\$132,500	\$132,500	\$132,500	\$3,446,724	\$5,150,880

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 26 on June 28, 2011.
** Pursuant to contract with homeowner participant

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RECOGNIZED OBLIGATION PAYMENT SCHEDULE January 1 - June 30, 2012 (First ROPS)

Per AB 26 - Section 34167 and 34169

	Project Name / Debt Obligation	Payee	Description	Funding	Payments by month 2012						Total
					January	February	March	April	May	June	
RDA Operating											
1	RDA Management	Various	Admin of RDA	Non-Housing	\$100,000						\$100,000
2	Admin Costs ***	City of Imperial Beach	Per AB 26	Non-Housing	\$ 69,273	\$ 69,273	\$ 69,273	\$ 69,273	\$ 69,273	\$ 69,272	\$415,637
3	RDA Accrued Liabilities	City of Imperial Beach	Vacation/Sick Liability as of 1/31/2012	Non-Housing	\$203,233						\$203,233
4	RDA Unfunded PERS Liability	City of Imperial Beach	Unfunded Pension Liability as of 1/31/2012	Non-Housing	\$319,590						\$319,590
5	RDA 30 Layoff Notice Cost	City of Imperial Beach	Labor Contract Requirement	Non-Housing	\$28,846						\$28,846
6	RDA Outstanding WC Liability	City of Imperial Beach	Workers Compensation Liability 1/31/2012	Non-Housing	\$2,928						\$2,928
7	Graffiti Abatement	Various	RDA Staffing and Program Costs	Non-Housing	\$25,000						\$25,000
8	Continuing Disclosure	Wells Fargo	Mandatory Annual Bond Disclosure	Non-Housing		\$3,200					\$3,200
9	Continuing Disclosure	Bond Management/NBS	Mandatory Annual Bond Disclosure	Non-Housing		\$4,000					\$4,000
10	Continuing Disclosure	HDL	Assessment Information	Non-Housing		\$2,025	\$2,025			\$2,026	\$6,075
11	Continuing Disclosure	Lance Soil	Audit Fees	Non-Housing		\$10,000			\$10,000		\$20,000
12	IBCC Monitoring	City of Imperial Beach	IB Community Clinic Loan	Non-Housing						\$ 2,611	\$2,611
13	RDA Statue Compliance	City of Imperial Beach	Compliance	Non-Housing						\$ 2,611	\$2,611
14	City Service Agreement	City of Imperial Beach	Oversight and related costs	Non-Housing		\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$200,000
15	Hotel DDA Compliance	City of Imperial Beach	DDA Compliance Issues	Non-Housing						\$5,000	\$5,000
16	Capital Trailer Rental	Bert's	Temp Trailer for Project Management	Non-Housing		\$300	\$300	\$300	\$300	\$300	\$1,500
17	Legal	McDougal/Kane Balmer		Non-Housing	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$60,000
18	Interim Audit Management	City of Imperial Beach	Additional Audit Requirement	Non-Housing			\$10,000				\$10,000
19											\$0
20											\$0
21											\$0
22											\$0
23											\$0
24											\$0
25											\$0
26											\$0
27											\$0
28											\$0
29											\$0
30											\$0
Totals - This Page					\$758,670	\$138,798	\$131,598	\$119,573	\$129,573	\$131,819	\$1,410,031

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 26 on June 28, 2011.

** Months October through December were added administratively pursuant to Reso SA 12-02 . The Successor Agency Board ratification is scheduled for March 7, 2012.

*** Pursuant to AB x1 26 34177 (j) (k) to be paid from property tax revenues deposited in the Redevelopment Property Tax Trust Fund.

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RECOGNIZED OBLIGATION PAYMENT SCHEDULE January 1 - June 30, 2012 (First ROPS)
 Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Funding	Payments by month 2012						Total
				January	February	March	April	May	June	
RDA Projects										
1 Commercial Zoning	AECOM	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$ 80,333					\$80,333
2 Commercial Zoning	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$ 16,666	\$ 16,666	\$ 16,666	\$ 16,666	\$ 16,666	\$83,330
3 Highway 76 Improvements	Sudbery	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$2,200,000						\$2,200,000
4 Highway 76 Improvements	Dudek	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
5 Highway 76 Improvements	Nasland Engineering	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$30,000	\$ 30,000	\$ 7,662			\$87,662
6 Highway 76 Improvements	Project Design Consultant	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$ 105,107						\$105,107
7 Bayshore Bikeway Access	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$18,000
8 Bayshore Bikeway Access	RBF Consulting/Other	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$ 21,094	\$ 5,000				\$26,094
9 Sand Replenishment	SANDAG	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$ 174,003						\$174,003
10 Street Improvements Phase 3	Nasland	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$54,959						\$54,959
11 Street Improvements Phase 3	SDGE	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$5,000						\$5,000
12 Street Improvements Phase 3	Eagle Newspaper	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$1,000
13 Street Improvements Phase 3	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$30,000
14 Street Improvements Phase 3	PAL General Engineering	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$258,460	\$258,460	\$258,460	\$258,460	\$258,460	\$258,460	\$1,550,760
16 Street Improvements Phase 4-5	BDS	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
16 Street Improvements Phase 4-5	Geosolls	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
17 Street Improvements Phase 4-5	Eagle Newspaper	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
18 Street Improvements Phase 4-5	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$30,000
19 Street Improvements Phase 4-5	Southeast Paving, Inc.	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$674,555	\$674,555	\$674,555	\$674,555	\$674,555	\$674,555	\$4,047,331
20 13th Street ADA Imp	Labor	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$12,000
21 Skatepark Fence	BDS	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$3,000
22 Skatepark Fence	Harris Steel Fence	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$ 62,782	\$ 5,000					\$67,782
23 Skatepark Fence	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$ 2,664	\$ 2,664	\$ 2,664	\$ 2,664			\$10,656
24 Skatepark Fence	US Bank	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$ 500						\$500
26 Bikeway Village Project	Keyser Marston Assoc.	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$18,062	\$10,000				\$28,062
26 Bikeway Village Project	Bikeway Village, LLC	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$1,949,700					\$1,949,700
27 Bikeway Village Project	Bikeway Village, LLC	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$0					\$0
28 Bikeway Village Project	Recon Environmental	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$65,298					\$65,298
29 Bikeway Village Project	Robert Backer	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$35,000					\$35,000
30 Bikeway Village Project	Oppar Varco	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$17,500					\$17,500
31 Bikeway Village Project	Project Management/Legal	Tax Exempt Bond Indenture Project	Non-Housing Bonds	\$25,000	\$25,000	\$10,000	\$10,000	\$10,000	\$10,000	\$90,000
32 Facade Program	Barow / Harlan Construction	Tax Exempt Bond Indenture Project	Non-Housing Bonds					\$1,400		\$1,400
33 Facade Program	Calif Electric Supply	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
34 Facade Program	Sea Breeze Electric	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
35 Facade Program	Stanford Sign & Awning	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
36 Facade Program	Ei Tapito	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$20,000					\$20,000
37 Facade Program	La Posta	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$40,000					\$40,000
38 Veterans Park Signage	US Bank	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
39 Veterans Park Signage	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$25,000	\$50,000	\$50,000	\$100,000	\$241,000	\$466,000
40 Storm Drain Intercept	Various	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
41 Elm Ave. Undergrounding	A.M. Ortega Const. Inc.	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
42 Elm Ave. Undergrounding	Ameron International	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
43 Bond Project Contingency	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$0					\$0
44 Date Street Seacoast Inn	Imperial Coast	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$41,812		\$200,000			\$241,812
45 Date Street	Nasland Engineering	Street Improvement Contract	Non-Housing Bonds							\$0
46 9th & Palm/ Other Bond Projects	Kane Ballmer/McDougal	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$34,007	\$10,000	\$10,489	\$10,000	\$10,000	\$74,496
47 9th & Palm/ Other Bond Projects	Oppar Varco	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$17,500					\$17,500
48 9th & Palm/ Other Bond Projects	Keyser Marston Assoc.	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$10,000	\$9,926				\$19,926
49 9th & Palm/ Other Bond Projects	Urban Systems	Tax Exempt Bond Indenture Project	Non-Housing Bonds		\$10,000	\$10,000	\$4,833			\$24,833
50 9th & Palm Southbay Relocation	Southbay Drugs	9th and Palm Project	Non-Housing Funds	\$150,000						\$150,000
51 9th & Palm Goodwill Relocation	Goodwill Industries	9th and Palm Project	Non-Housing Funds		\$210,000					\$210,000
52 9th & Palm Moran Relocation	Moran Food	9th and Palm Project	Non-Housing Funds							\$0
53 9th & Palm	Nasland Engineering	9th and Palm Project	Non-Housing Funds							\$0
54 9th & Palm	Granger	9th and Palm Project	Non-Housing Funds							\$0
55 9th & Palm	Mirelee Landscaping	9th and Palm Project	Non-Housing Funds							\$0
56 9th & Palm	Project Management/Legal	9th and Palm Project	Non-Housing Bonds	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$90,000
57 9th & Palm	Various	9th and Palm Project	Non-Housing Bonds	\$0						\$0
58 Eco-Bikeway	KOA Corporation	Bikeway Improvements	Non-Housing Bonds		\$ 1,310					\$1,310
59 Eco-Bikeway	Project Management	Bikeway Improvements	Non-Housing Bonds	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$6,000
60										\$0
Totals - This Page				\$3,744,640	\$3,640,661	\$1,118,971	\$1,267,129	\$1,102,781	\$1,242,382	\$12,116,454

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 26 on June 28, 2011.

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Project Area(s) All

RECOGNIZED OBLIGATION PAYMENT SCHEDULE January 1 - June 30, 2012 (First ROPS)
Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Funding	Payments by month						Total
				Jan	Feb	Mar	Apr	May	Jun	
Pass-Thru Payments										
1) Section 33676 Payments	County General	Pass Thru Payments Amended Area	Non-Housing							\$0
2) Section 33676 Payments	County Library	Pass Thru Payments Amended Area	Non-Housing							\$0
3) Section 33676 Payments	Gen Elem South Bay Union	Pass Thru Payments Amended Area	Non-Housing							\$0
4) Section 33676 Payments	High Sweetwater Union	Pass Thru Payments Amended Area	Non-Housing							\$0
5) Section 33676 Payments	Southwestern Community College	Pass Thru Payments Amended Area	Non-Housing							\$0
6) Section 33676 Payments	County Office of Education	Pass Thru Payments Amended Area	Non-Housing							\$0
7) Section 33676 Payments	Imperial Beach City Gen Fund	Pass Thru Payments Amended Area	Non-Housing							\$0
8) Section 33676 Payments	City of San Diego	Pass Thru Payments Amended Area	Non-Housing							\$0
9) Section 33676 Payments	CWA City of San Diego	Pass Thru Payments Amended Area	Non-Housing							\$0
10) Section 33676 Payments	San Diego City Zoological Exhibits-D	Pass Thru Payments Amended Area	Non-Housing							\$0
11) Section 33676 Payments	MWD D/S Remainder of SDCWA	Pass Thru Payments Amended Area	Non-Housing							\$0
12) Section 33676 Payments	County General	Pass Thru Payments Original Area T1	Non-Housing							\$0
13) Section 33676 Payments	County Library	Pass Thru Payments Original Area T1	Non-Housing							\$0
14) Section 33676 Payments	Gen Elem South Bay Union	Pass Thru Payments Original Area T1	Non-Housing							\$0
15) Section 33676 Payments	High Sweetwater Union	Pass Thru Payments Original Area T1	Non-Housing							\$0
16) Section 33676 Payments	Southwestern Community College	Pass Thru Payments Original Area T1	Non-Housing							\$0
17) Section 33676 Payments	County Office of Education	Pass Thru Payments Original Area T1	Non-Housing							\$0
18) Section 33676 Payments	Imperial Beach City	Pass Thru Payments Original Area T1	Non-Housing							\$0
19) Section 33676 Payments	County General	Pass Thru Payments Original Area	Non-Housing							\$0
20) Section 33676 Payments	County Library	Pass Thru Payments Original Area	Non-Housing							\$0
21) Section 33676 Payments	Gen Elem South Bay Union	Pass Thru Payments Original Area	Non-Housing							\$0
22) Section 33676 Payments	High Sweetwater Union	Pass Thru Payments Original Area	Non-Housing							\$0
23) Section 33676 Payments	Southwestern Community College	Pass Thru Payments Original Area	Non-Housing							\$0
24) Section 33676 Payments	County Office of Education	Pass Thru Payments Original Area	Non-Housing							\$0
25) Section 33676 Payments	Final - see above	Pass Thru Payments Original Area	Non-Housing					\$576,814		\$576,814
Totals - Other Obligations				\$ -	\$ -	\$ -	\$ -	\$ 576,814	\$ -	\$ 576,814

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 26 on June 28, 2011.

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RESOLUTION NO.SA-12-06

RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2012 THROUGH DECEMBER 31, 2012

WHEREAS, the Imperial Beach Redevelopment Agency ("Redevelopment Agency") was a redevelopment agency in the City of Imperial Beach ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the City Council has adopted redevelopment plans for Imperial Beach's redevelopment project areas, and from time to time, the City Council has amended such redevelopment plans; and

WHEREAS, the Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, AB x1 26 ("AB 26") and AB x1 27 ("AB 27") were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code"); and

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.*, Case No. S194861) alleging that AB 26 and AB 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding as constitutional AB 26, invalidating as unconstitutional AB 27, and holding that AB 26 may be severed from AB 27 and enforced independently; and

WHEREAS, the Supreme Court generally reformed and revised the effective dates and deadlines for performance of obligations under Health and Safety Code Part 1.85 of AB 26 arising before May 1, 2012 to take effect four months later, while leaving the effective dates or deadlines for performance of obligations under Health and Safety Code Part 1.8 of AB 26 unchanged; and

WHEREAS, as a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies pursuant to Health and Safety Code Section 34173, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(2)(A) of AB 26, the Successor Agency was required to prepare its draft Recognized Obligation Payment Schedule ("ROPS") by March 1, 2012; and

WHEREAS, in accordance with Health and Safety Code Section 34177(l)(2)A) of AB 26, the Successor Agency adopted the draft ROPS on February 15, 2012 by Resolution No. SA-12-02, for the period ending June 30, 2012, as modified administratively by the Executive Director pursuant to Resolution No. SA-12-02; and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(3) of AB 26, the first ROPS shall be submitted to the State of California Controller's Office and the State of California Department of Finance by April 15, 2012 for the period of January 1, 2012 through June 30, 2012; and

WHEREAS, on or about April 4, 2012, the Successor Agency amended the draft ROPS as the first ROPS for submission to the State Controller's Office and the Department of Finance by April 15, 2012 and revised the ROPS to reflect the time period of January 1, 2012 through June 30, 2012 as required by Health and Safety Code Section 34177(l)(3) of AB 26 and to clarify and add certain information relating to the recognized obligations set forth in the ROPS; and

WHEREAS, the second ROPS covering the period from July 1, 2012 through December 31, 2012 is attached to this Resolution as Exhibit "A"; and

WHEREAS, if adopted by the Successor Agency, the ROPS shall thereafter be submitted to the Oversight Board for review and approval. A copy of the approved ROPS shall be submitted to the County Auditor-Controller and both the State Controller's Office and the Department of Finance and shall be posted on the Successor Agency's internet website; and

WHEREAS, pursuant to AB 26, the County is required to make a payment of property tax revenues (i.e. former tax increment funds) to the Successor Agency by June 1, 2012 for payments to be made toward recognized obligations listed on the second ROPS for the period of July 1, 2012 through December 31, 2012; and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(3) of AB 26, the ROPS shall be forward looking to the next six (6) months and, according to Health and Safety Code Section 34177(l)(1) of AB 26, for each recognized obligation, the ROPS shall identify one or more of the following sources of payment: (i) Low and Moderate Income Housing Funds, (ii) bond proceeds, (iii) reserve balances, (iv) administrative cost allowance, and (v) the Redevelopment Property Tax Trust Fund but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation or by the provisions of Part 1.85 of AB 26; and

WHEREAS, it is the intent of AB 26 that the ROPS serve as the designated reporting mechanism for disclosing the Successor Agency's bi-annual payment obligations by amount and source and, subsequent to the audit and approval of the ROPS as specified in AB 26, the County Auditor-Controller will be responsible for ensuring that the Successor Agency receives revenues sufficient to meet the requirements of the ROPS during each bi-annual period; and

WHEREAS, notwithstanding the provisions of Health and Safety Code Section 34177(a)(1), agreements between the City and the Redevelopment Agency have been included

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in the ROPS because, among other things, they have been validated by operation of law prior to the Governor's signature of AB 26 on June 28, 2011; and

WHEREAS, the proposed ROPS attached to this Resolution as Exhibit "A" is consistent with the requirements of the Health and Safety Code and other applicable law; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Imperial Beach Redevelopment Agency Successor Agency, as follows:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB X1 26 through administrative or judicial proceedings.
- Section 3.** The Successor Agency's second ROPS, which is attached hereto as Exhibit "A", is approved and adopted.
- Section 4.** The Executive Director, or designee, is hereby authorized and directed to:
 - i) provide the ROPS to the Oversight Board for review and approval; and
 - ii) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution on behalf of the Successor Agency.
- Section 5.** The Successor Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.
- Section 6.** This Resolution shall take effect upon the date of its adoption.
- Section 7.** The Executive Director, or designee, is hereby authorized to make such non-substantive changes and amendments to the ROPS as may be approved by the Executive Director of the Successor Agency and its legal counsel.

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PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency
Successor Agency at its meeting held on the 4th day of April 2012, by the following vote:

AYES:	BOARDMEMBERS:
NOES:	BOARDMEMBERS:
ABSENT:	BOARDMEMBERS:

JAMES C. JANNEY
CHAIRPERSON

ATTEST:

JACQUELINE M. HALD, MMC
SECRETARY

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EXHIBIT "A"

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY
RECOGNIZED OBLIGATION PAYMENT SCHEDULE
July 1, 2012 through December 31, 2012
("Second ROPS")**

Approved on April 4, 2012

(See Attachment)

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RECOGNIZED OBLIGATION PAYMENT SCHEDULE July 1 - December 31, 2012 (Second ROPS)
Per AB 26 - Section 34167 and 34169

	Project Name / Debt Obligation	Payee	Description	Funding	Payments by month						
					July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
Debt Obligations											
1	2003 Tax Allocation Bonds Series	Wells Fargo Bank	Bond Debt Service	Non-Housing & Low Mod					\$ 693,092		\$693,092
2	2010 Tax Allocation Bonds Series	Wells Fargo Bank	Bond Debt Service	Non-Housing					\$ 525,953		\$525,953
3	City Loan 1995	City of Imperial Beach	Loan to finance start up costs	Non-Housing					\$ 224,286		\$224,286
4											\$0
5											\$0
6											\$0
7											\$0
8											\$0
9											\$0
10											\$0
11											\$0
12											\$0
13											\$0
14											\$0
15											\$0
16											\$0
17											\$0
18											\$0
19											\$0
20											\$0
Totals - Debt Obligations - This Page					\$ -	\$ -	\$ -	\$ -	\$ 1,283,331	\$ -	\$ 1,283,331
Totals - Housing Program Related - Page 2					\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$90,000
Totals - RDA Operating - Page 3					\$119,573	\$128,798	\$119,573	\$119,573	\$119,573	\$124,794	\$731,884
Totals - RDA Projects - Page 4					\$0	\$0	\$0	\$0	\$0	\$0	\$0
Totals - Pass Through Obligations- Page 5					\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Enforceable Obligations					\$134,573	\$143,798	\$134,573	\$134,573	\$1,417,904	\$139,794	\$2,105,215

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 26 on June 28, 2011.

** Months October through December were added administratively pursuant to Reso SA 12-02 . The Successor Agency Board ratification is scheduled for March 7, 2012.

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RECOGNIZED OBLIGATION PAYMENT SCHEDULE July 1 - December 31, 2012 (Second ROPS)
 Per AB 26 - Section 34167 and 34169

Project Name / Debt Obl.	Payee	Description	Funding	Payments by month						Total	
				July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012		
Housing Programs											
1	Housing Management	See Attached	Mgt costs for Low/Mod Housing Program	Low/Mod funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2	Housing Agreement	Imperial Beach	Support costs	Low/Mod funds	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 90,000
3	Hemlock Monitoring	Housing Authority/City Finance	South Bay Comm. Svcs Loan	Low/Mod funds							\$ -
4	Calita Monitoring	Housing Authority/City Finance	South Bay Comm. Svcs Loan	Low/Mod funds							\$ -
5	Beachwind Monitoring	Housing Authority/City Finance	Beachwood Loan	Low/Mod funds							\$ -
6	Housing Reporting	Housing Authority/City Finance	RDA Statutory Compliance	Low/Mod funds							\$ -
7	Clean & Green Monitor	Housing Authority	10 yr Contract Compliance	Low/Mod funds							\$ -
8	Deficit Housing Oblig.	Housing Authority	RDA Statutory Compliance	Low/Mod funds							\$ -
9	Age Proportionality	Housing Authority	RDA Statutory Compliance	Low/Mod funds							\$ -
10	American Legion	Kane Ballmer	Low/Mod Housing Project	Low/Mod funds							\$ -
11	American Legion	Keyser Marston Assoc.	Low/Mod Housing Project	Low/Mod funds							\$ -
12	American Legion	Hitzke Development	Low/Mod Housing Project	Low/Mod funds							\$ -
13	American Legion	Project Management	Low/Mod Housing Project	Low/Mod funds							\$ -
14	Housing Element	Tam	Housing Element	Low/Mod funds							\$ -
15	Clean & Green**	A.E. CHARLES CONSTRUCTION	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
16	Clean & Green**	AFFORDABLE RAINGUTTERS	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
17	Clean & Green**	A-FRAME CONSTRUCTION, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
18	Clean & Green**	ALTERNATIVE ENERGY TECHNOLOGIES	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
19	Clean & Green**	BARROWS CONSTRUCTION	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
20	Clean & Green**	CALIFORNIA ALUMINUM & VINYL WINDOWS	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
21	Clean & Green**	CHICAGO TITLE INSUR CO	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
22	Clean & Green**	COOK CONSTRUCTION AND DESIGN, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
23	Clean & Green**	DELTA SOLAR ELECTRIC	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
24	Clean & Green**	DON MOORE CONSTRUCTION	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
25	Clean & Green**	GB'S FENCE COMPANY	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
26	Clean & Green**	GREGORY HUGHES	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
27	Clean & Green**	HARLAN CONSTRUCTION	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
28	Clean & Green**	HELPER'S ELECTRIC COMPANY, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
29	Clean & Green**	KENNEY ROOFING	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
30	Clean & Green**	MCBREATHY CONSTRUCTION CORP.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
31	Clean & Green**	MILHOLLAND ELECTRIC, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
32	Clean & Green**	ROCK AND ROSE LANDSCAPE	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
33	Clean & Green**	RODS ROOTER	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
34	Clean & Green**	SAM & SONS PLUMBING	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
35	Clean & Green**	SIERRA WINDOW CONCEPTS, LTD	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
36	Affordable Housing	SOUTH BAY COMMUNITY SVCS	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
37	Clean & Green**	STORM GENERAL BUILDERS, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
38	Clean & Green**	SUACCI	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
39	Clean & Green**	U.S. BANK CORPORATE PAYMENT	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
40	Clean & Green**	WEST COAST APPLIANCE SERVICES, INC.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
41	Clean & Green**	WESTERN WINDOW REPLACEMENT	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
42	Clean & Green**	Al Charles Design	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
43	Clean & Green**	Helfers Electric	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
44	Clean & Green	Various Contractors	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
45	Housing Project	Habitat P.M.	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
46	Housing Project	Project Management for Habitat	Tax Exempt Bond Indenture Project	Low/Mod Bond							\$ -
47											\$ -
Totals - This Page					\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$90,000

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 26 on June 28, 2011.
 ** Pursuant to contract with homeowner participant

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Project Area(s)

All

RECOGNIZED OBLIGATION PAYMENT SCHEDULE July 1 - December 31, 2012 (Second ROPS)

Per AB 26 - Section 34167 and 34169

	Project Name / Debt Obligation	Payee	Description	Funding	Payments by month						Total
					July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	
RDA Operating											
1	RDA Management	Various	Admin of RDA	Non-Housing	\$ -						\$0
2	Admin Costs ***	City of Imperial Beach	Per AB 26	Non-Housing	\$ 69,273	\$ 69,273	\$ 69,273	\$ 69,273	\$ 69,273	\$ 69,272	\$415,637
3	RDA Accrued Liabilities	City of Imperial Beach	Vacation/Sick Liability as of 1/31/2012	Non-Housing							\$0
4	RDA Unfunded PERS Liability	City of Imperial Beach	Unfunded Pension Liability as of 1/31/2012	Non-Housing							\$0
5	RDA 30 Layoff Notice Cost	City of Imperial Beach	Labor Contract Requirement	Non-Housing							\$0
6	RDA Outstanding WC Liability	City of Imperial Beach	Workers Compensation Liability 1/31/2012	Non-Housing							\$0
7	Graffiti Abatement	Various	RDA Staffing and Program Costs	Non-Housing							\$0
8	Continuing Disclosure	Wells Fargo	Mandatory Annual Bond Disclosure	Non-Housing		\$3,200					\$3,200
9	Continuing Disclosure	Bond Management/NBS	Mandatory Annual Bond Disclosure	Non-Housing		\$4,000					\$4,000
10	Continuing Disclosure	HDL	Assessment Information	Non-Housing		\$2,025					\$2,025
11	Continuing Disclosure	Lance Soli	Audit Fees	Non-Housing							\$0
12	IBCC Monitoring	City of Imperial Beach	IB Community Clinic Loan	Non-Housing						\$ 2,611	\$2,611
13	RDA Statue Compliance	City of Imperial Beach	Compliance	Non-Housing						\$ 2,611	\$2,611
14	City Service Agreement	City of Imperial Beach	Oversight and related costs	Non-Housing	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$240,000
15	Hotel DDA Compliance	City of Imperial Beach	DDA Compliance Issues	Non-Housing						\$0	\$0
16	Capital Trailer Rental	Bert's	Temp Trailer for Project Management	Non-Housing	\$300	\$300	\$300	\$300	\$300	\$300	\$1,800
17	Legal	McDougal/Kane Balmer		Non-Housing	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$60,000
18	Interim Audit Management	City of Imperial Beach	Additional Audit Requirement	Non-Housing							\$0
19											\$0
Totals - This Page					\$119,573	\$128,798	\$119,573	\$119,573	\$119,573	\$124,794	\$731,884

** Months October through December were added administratively pursuant to Reso SA 12-02. The Successor Agency Board ratification is scheduled for March 7, 2012.

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 26 on June 28, 2011.

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RECOGNIZED OBLIGATION PAYMENT SCHEDULE July 1 - December 31, 2012 (Second ROPS)
 Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Funding	Payments by month						Total
					July 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	
RDA Projects											
1	Commercial Zoning	AECOM	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
2	Commercial Zoning	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
3	Highway 75 Improvements	Sudbery	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
4	Highway 75 Improvements	Dudek	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
5	Highway 75 Improvements	Nasland Engineering	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
6	Highway 75 Improvements	Project Design Consultant	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
7	Bayshore Bikeway Access	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
8	Bayshore Bikeway Access	RBF Consulting/Other	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
9	Sand Replenishment	SANDAG	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
10	Street Improvements Phase 3	Nasland	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
11	Street Improvements Phase 3	SDGE	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
12	Street Improvements Phase 3	Eagle Newspaper	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
13	Street Improvements Phase 3	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
14	Street Improvements Phase 3	PAL General Engineering	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
15	Street Improvements Phase 4-5	BDS	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
16	Street Improvements Phase 4-5	Geosolls	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
17	Street Improvements Phase 4-5	Eagle Newspaper	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
18	Street Improvements Phase 4-5	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
19	Street Improvements Phase 4-5	Southland Paving, Inc.	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
20	13th Street ADA Imp	Lebor	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
21	Skatepark Fence	BDS	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
22	Skatepark Fence	Harris Steel Fence	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
23	Skatepark Fence	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
24	Skatepark Fence	US Bank	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
25	Bikeway Village Project	Keyser Marston Assoc.	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
26	Bikeway Village Project	Bikeway Village, LLC	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
27	Bikeway Village Project	Bikeway Village, LLC	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
28	Bikeway Village Project	Recon Environmental	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
29	Bikeway Village Project	Robert Backer	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
30	Bikeway Village Project	Opper Varco	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
31	Bikeway Village Project	Project Management/Legal	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
32	Facade Program	Barrow Construction	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
33	Facade Program	Calif Electric Supply	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
34	Facade Program	Sea Breeze Electric	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
35	Facade Program	Stanford Sign & Awning	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
36	Facade Program	El Tapillo	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
37	Facade Program	La Posta	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
38	Veterans Park Signage	US Bank	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
39	Veterans Park Signage	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
40	Storm Drain Intercept	Various	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
41	Elm Ave. Undergrounding	A.M. Ortega Const. Inc.	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
42	Elm Ave. Undergrounding	Ameron International	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
43	Bond Project Contingency	Project Management	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
44	Date Street Seacoast Inn	Imperial Coast	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
45	Date Street	Nasland Engineering	Street Improvement Contract	Non-Housing Bonds							\$0
46	9th & Palm/ Other Bond Projects	Kane Ballmer/McDougal	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
47	9th & Palm/ Other Bond Projects	Opper Varco	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
48	9th & Palm/ Other Bond Projects	Keyser Marston Assoc.	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
49	9th & Palm/ Other Bond Projects	Urban Systems	Tax Exempt Bond Indenture Project	Non-Housing Bonds							\$0
50	9th & Palm Southbay Relocation	Southbay Drugs	9th and Palm Project	Non-Housing Funds							\$0
51	9th & Palm Goodwill Relocation	Goodwill Industries	9th and Palm Project	Non-Housing Funds							\$0
52	9th & Palm Moran Relocation	Moran Food	9th and Palm Project	Non-Housing Funds							\$0
53	9th & Palm	Nasland Engineering	9th and Palm Project	Non-Housing Funds							\$0
54	9th & Palm	Granger	9th and Palm Project	Non-Housing Funds							\$0
55	9th & Palm	Mireles Landscaping	9th and Palm Project	Non-Housing Funds							\$0
56	9th & Palm	Project Management/Legal	9th and Palm Project	Non-Housing Bonds							\$0
57	9th & Palm	Various	9th and Palm Project	Non-Housing Bonds							\$0
58	Eco-Bikeway	KOA Corporation	Bikeway Improvements	Non-Housing Bonds							\$0
59	Eco-Bikeway	Project Management	Bikeway Improvements	Non-Housing Bonds							\$0
Totals - This Page					\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

* Notwithstanding the provisions of California Health and Safety Code section 34177(a)(1), agreements between the City and the Agency have been included in this payment schedule because, among other things, they have been validated by operation of law prior to the Governor's signature of ABx1 25 on June 28, 2011.

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STAFF REPORT
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

TO: CHAIR AND MEMBERS OF THE SUCCESSOR AGENCY

FROM: GARY BROWN, EXECUTIVE DIRECTOR

MEETING DATE: April 4, 2012

ORIGINATING DEPT.: Michael McGrane, Finance Director

SUBJECT: Adoption of Resolution No. SA-12-04 of the Imperial Beach Redevelopment Agency Successor Agency Approving the Successor Agency's Administrative Budget and Related Actions

2012 APR - 3 AM 10:48
 CITY MANAGER
 CITY CLERK OFFICE

BACKGROUND:

Section 34177(j) of AB X1 26 ("AB 26") requires the Successor Agency to prepare an Administrative Budget for each six-month fiscal period and submit the Administrative Budget to the Oversight Board for approval. The Administrative Budget shall include all of the following: (i) estimated amounts for Successor Agency administrative costs for the upcoming six-month fiscal period; (ii) proposed sources of payment for Successor Agency administrative costs; and (iii) proposals for arrangements for administrative and operations services provided by the City or other entity.

Section 34177(k) of AB 26 requires the Successor Agency to provide to the San Diego County Auditor-Controller for each six-month fiscal period the administrative cost estimates from its approved Administrative Budget that are to be paid from property tax revenues (i.e. former tax increment revenues) deposited in the County's Redevelopment Property Tax Trust Fund established for the Successor Agency.

This report seeks the Successor Agency's approval of the Administrative Budget and the Successor Agency's authorization to forward the Administrative Budget to the Oversight Board for its review and approval and to forward the information required by Section 34177(k) to the County Auditor-Controller.

FISCAL IMPACT:

The Administrative Budget for the period of January 1, 2012 through June 30, 2012 totals \$452,930.

ENVIRONMENTAL DETERMINATION:

Pursuant to Title 15 of the California Code of Regulations, Section 15378(b)(4), this item is not subject to the California Environmental Quality Act ("CEQA") review because the recommended approvals are not considered a project, and are governmental funding mechanisms and fiscal activities that do not involve any commitment to any specific project which may result in a potentially significant environmental impact.

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4/4/12 Item 7.2
 Last Minute
 Agenda Info

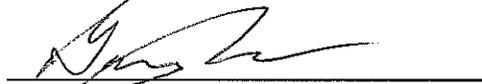
DEPARTMENT RECOMMENDATION:

Staff recommends the Successor Agency:

1. Adopt Resolution No. SA-12-04 Administrative Budget.

EXECUTIVE DIRECTOR'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, Executive Director

Attachments:

1. Resolution No. SA-12-04 Administrative Budget

RESOLUTION NO. SA-12-04

RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET AND RELATED ACTIONS

WHEREAS, the Imperial Beach Redevelopment Agency ("Redevelopment Agency") was a redevelopment agency in the City of Imperial Beach ("City"), duly created pursuant to the California Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

WHEREAS, the City Council has adopted redevelopment plans for Imperial Beach's redevelopment project areas, and from time to time, the City Council has amended such redevelopment plans; and

WHEREAS, the Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, AB x1 26 ("AB 26") and AB x1 27 ("AB 27") were signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code"); and

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.*, Case No. S194861) alleging that AB 26 and AB 27 were unconstitutional; and

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding as constitutional AB 26, invalidating as unconstitutional AB 27, and holding that AB 26 may be severed from AB 27 and enforced independently; and

WHEREAS, the Supreme Court generally reformed and revised the effective dates and deadlines for performance of obligations under Health and Safety Code Part 1.85 of AB 26 arising before May 1, 2012 to take effect four months later, while leaving the effective dates or deadlines for performance of obligations under Health and Safety Code Part 1.8 of AB 26 unchanged; and

WHEREAS, as a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies pursuant to Health and Safety Code Section 34173, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies; and

WHEREAS, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, Section 34179 of AB 26 establishes a seven (7) member local entity with respect to each successor agency and such entity is titled the "oversight board." The oversight board has been established for the Successor Agency (hereinafter referred to as the "Oversight Board") and all seven (7) members have been appointed to the Oversight Board pursuant to Section 34179. The duties and responsibilities of the Oversight Board are set forth in Sections

34179 through 34181 of AB 26; and

WHEREAS, Section 34177(j) of AB X1 26 ("AB 26") requires the Successor Agency to prepare an administrative budget for each six-month fiscal period and submit the administrative budget to the Oversight Board for approval. The administrative budget shall include all of the following: (i) estimated amounts for Successor Agency administrative costs for the upcoming six-month fiscal period; (ii) proposed sources of payment for Successor Agency administrative costs; and (iii) proposals for arrangements for administrative and operations services provided by the City or other entity; and

WHEREAS, Section 34177(k) of AB 26 requires the Successor Agency to provide to the San Diego County Auditor-Controller for each six-month fiscal period the administrative cost estimates from its approved administrative budget that are to be paid from property tax revenues (i.e. former tax increment revenues) deposited in the County's Redevelopment Property Tax Trust Fund established for the Successor Agency; and

WHEREAS, staff of the Successor Agency seeks the Successor Agency's approval of the administrative budget for the period of January 1, 2012 through June 30, 2012 ("Administrative Budget"), in the form attached to this Resolution as Exhibit "A", and the Successor Agency's authorization to submit the approved Administrative Budget to the Oversight Board for its approval and to forward the information required by Section 34177(k) to the San Diego County Auditor-Controller; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

WHEREAS, this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT RESOLVED by the Imperial Beach Redevelopment Agency Successor Agency, as follows:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB 26 through administrative or judicial proceedings.
- Section 3.** The Successor Agency's Administrative Budget for the period of January 1, 2012 through June 30, 2012, which is attached hereto as Exhibit "A", is approved and adopted.

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Section 4. The Executive Director, or designee, is hereby authorized and directed to: i) submit the approved Administrative Budget to the Oversight Board for its review and approval; and ii) submit to the San Diego County Auditor-Controller the administrative cost estimates from the Administrative Budget that are to be paid from property tax revenues deposited in the County's Redevelopment Property Tax Trust Fund established for the Successor Agency; and (iii) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution on behalf of the Successor Agency.

Section 5. The Successor Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.

Section 6. This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED, AND ADOPTED by the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 4th day of April 2012, by the following vote:

AYES: **BOARDMEMBERS:**
NOES: **BOARDMEMBERS:**
ABSENT: **BOARDMEMBERS:**

JAMES C. JANNEY
CHAIRPERSON

ATTEST:

JACQUELINE M. HALD, MMC
SECRETARY

a.s

EXHIBIT "A"

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY
ADMINISTRATIVE BUDGET
FOR THE PERIOD OF JANUARY 1, 2012 THROUGH JUNE 30, 2012**

(See Attachment)

Position Title	Salary	Total Labor Cost	% Time Working on SA	Monthly SA Cost
<input type="checkbox"/> ADMINISTRATIVE SECRETARY II	\$3,802	\$5,498	30%	\$1,649
	\$3,752	\$5,499	50%	\$2,750
<input type="checkbox"/> ASST CM/COMM DEV DIRECTOR	\$10,846	\$14,645	75%	\$10,984
<input type="checkbox"/> CITY CLERK	\$9,110	\$12,328	50%	\$6,164
<input type="checkbox"/> CITY MANAGER	\$12,733	\$17,023	70%	\$11,916
<input type="checkbox"/> CLERK TYPIST	\$2,803	\$4,309	50%	\$2,154
<input type="checkbox"/> FINANCE DIRECTOR	\$9,649	\$13,230	90%	\$11,907
<input type="checkbox"/> FINANCE SUPERVISOR	\$5,897	\$8,256	50%	\$4,128
<input type="checkbox"/> PUBLIC WORKS DIRECTOR	\$9,649	\$12,396	20%	\$2,479
<input type="checkbox"/> REDEVELOPMENT COORDINATOR	\$6,783	\$9,459	75%	\$7,094
<input type="checkbox"/> SENIOR ACCOUNT TECHNICIAN	\$3,149	\$4,645	20%	\$929
Total Labor Cost	\$78,172	\$107,289		\$62,155
	Total for 6 Month Period			\$372,930
SA General Attorney				\$40,000
SA RDA Attorney				\$40,000
				\$452,930
Source of Funding:				
Property Tax formerly tax increment funds				\$452,930

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