

**OVERSIGHT BOARD OF THE  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

**AGENDA**

**SEPTEMBER 10, 2014**

**City of Imperial Beach Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

**REGULAR MEETING – 10:30 a.m.**

The Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency is endeavoring to be in total compliance with the Americans with Disabilities Act (ADA). If you require assistance or auxiliary aids in order to participate at Oversight Board meetings, please contact the City Clerk's/Secretary's Office at (619) 423-8301, as far in advance of the meeting as possible.

**1. CALL TO ORDER**

**2. ROLL CALL BY CITY CLERK/SECRETARY**

**3. PUBLIC COMMENTS** - Each person wishing to address the Oversight Board regarding items not on the posted agenda may do so at this time. In accordance with State law, the Oversight Board may not take action on an item not scheduled on the agenda. If appropriate, the item will be referred to the Successor Agency staff or placed on a future agenda.

**4. REPORTS**

**A. APPROVAL OF MINUTES.**

Recommendation: Approve the Oversight Board Special Meeting Minutes of February 26, 2014 and August 13, 2014.

**B. ELECTION OF VICE CHAIR.**

Recommendation: Elect a Vice Chair for the Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency.

**C. ADOPTION OF RESOLUTION NO. OB-14-35 OF THE OVERSIGHT BOARD TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2015 THROUGH JUNE 30, 2015 AND RELATED ACTIONS.**

Recommendation: That the Oversight Board to the Imperial Beach Redevelopment Agency Successor Agency adopts Resolution Number OB-14-35 approving the Administrative Budget for the period of January 1, 2015 through June 30, 2015, and other related actions.

**D. ADOPTION OF RESOLUTION NO. OB-14-36 OF THE OVERSIGHT BOARD TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2015 THROUGH JUNE 30, 2015 (ROPS 14-15B).**

Recommendation: That the Oversight Board to the Imperial Beach Redevelopment Agency Successor Agency adopt Resolution Number OB-14-36 approving the Recognized Obligation Payment Schedule for the period of January 1, 2015 through June 30, 2015 (referred to as the "ROPS 14-15B").

**Any writings or documents provided to a majority of the Oversight Board regarding any item on this agenda will be made available for public inspection in the office of the City Clerk located at 825 Imperial Beach Blvd., Imperial Beach, CA 91932 during normal business hours.**

5. ADJOURNMENT

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/s/  
Jacqueline M. Hald, MMC  
City Clerk/Secretary

For your convenience, a copy of the Agenda and meeting packet may be viewed in the office of the City Clerk at City Hall or on our website at [www.ImperialBeachCA.gov](http://www.ImperialBeachCA.gov). Go to the Imperial Beach Redevelopment Agency Successor Agency page located under the Government Section.

OVERSIGHT BOARD OF THE  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

MINUTES

FEBRUARY 26, 2014

City of Imperial Beach Council Chambers

825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

SPECIAL MEETING

1. CALL TO ORDER

SECRETARY/CITY CLERK HALD called the meeting to order at 10:31 a.m.

2. ROLL CALL BY CITY CLERK/SECRETARY

Oversight Board Members present: Yanda, Saadat, Hentschke, Foltz

Oversight Board Members absent: West

Chairperson absent: Winter

Staff present: Deputy Executive Director Wade, City Attorney Lyon, Special Counsel  
Levan, Administrative Services Director Bradley, City Clerk/Secretary  
Hald

SECRETARY/CITY CLERK HALD announced that due to the recent resignation of Vice  
Chairperson Fernandez and the absence of Chairperson Winter, the remainder of the  
Oversight Board needs to select an Acting Chairperson to handle today's meeting.

**MOTION BY YANDA, SECOND BY FOLTZ TO SELECT BOARD MEMBER  
HENTSCHKE AS THE ACTING CHAIRPERSON FOR TODAY'S OVERSIGHT BOARD  
MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ  
NOES: BOARD MEMBERS: NONE  
ABSENT: BOARD MEMBERS: WEST, WINTER**

3. PUBLIC COMMENTS

None.

4. REPORTS

A. APPROVAL OF MINUTES.

**MOTION BY SAADAT, SECOND BY FOLTZ, TO APPROVE THE OVERSIGHT  
BOARD REGULAR MEETING MINUTES OF NOVEMBER 13, 2013. MOTION  
CARRIED BY THE FOLLOWING VOTE:**

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ  
NOES: BOARD MEMBERS: NONE  
ABSENT: BOARD MEMBERS: WEST, WINTER**

**B. ADOPTION OF RESOLUTION NO. OB-14-30 APPROVING THE  
REALLOCATION AND USE OF FUNDS RECEIVED FROM THE  
REDEVELOPMENT PROPERTY TAX TRUST FUND IN THE AMOUNT OF  
\$756,916 TO BE EXPENDED ON ENFORCEABLE OBLIGATIONS  
APPROVED ON RECOGNIZED OBLIGATION PAYMENT SCHEDULES.**

ACTING CHAIRPERSON HENTSCHKE introduced the item.

DEPUTY EXECUTIVE DIRECTOR WADE gave a PowerPoint presentation on the item.

In response to Board Member Saadat's question about the status of the Affordable Housing Litigation, SPECIAL COUNSEL LEVAN stated that the case is slowly moving through the process. On behalf of their clients, her office filed a motion to join the Department of Finance as a respondent to the action because of the relief that the Petitioner is trying to seek. She also stated that the hearing was last Friday and that the judge has yet to make a ruling on the issue. Additionally, the Petitioner has been conducting discovery and the clients are providing appropriate responsive documents.

**MOTION BY SAADAT, SECOND BY FOLTZ, TO ADOPT RESOLUTION NO. OB-14-30 APPROVING THE REALLOCATION AND USE OF FUNDS RECEIVED FROM THE REDEVELOPMENT PROPERTY TAX TRUST FUND IN THE AMOUNT OF \$756,916 TO BE EXPENDED ON ENFORCEABLE OBLIGATIONS APPROVED ON RECOGNIZED OBLIGATION PAYMENT SCHEDULES. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ  
NOES: BOARD MEMBERS: NONE  
ABSENT: BOARD MEMBERS: WEST, WINTER**

**C. ADOPTION OF RESOLUTION NO. OB-14-31 FINDING THAT THE LOAN TOTALING \$3,738,100 MADE BY THE CITY OF IMPERIAL BEACH TO THE FORMER IMPERIAL BEACH REDEVELOPMENT AGENCY WAS FOR LEGITIMATE REDEVELOPMENT PURPOSES, AND OTHER RELATED ACTIONS TAKEN IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 34191.4(b).**

ACTING CHAIRPERSON HENTSCHKE introduced the item.

DEPUTY EXECUTIVE DIRECTOR WADE reported on the item.

SPECIAL COUNSEL LEVAN stated that should the DOF approve this payment, 20% of what is paid back to the City is statutorily required to be transferred to the Low and Moderate Income Housing Asset Fund which is maintained by the Housing Authority for Imperial Beach to provide for low and moderate income housing.

DEPUTY EXECUTIVE DIRECTOR WADE spoke about the history of Redevelopment Agency funds being spent on redevelopment purposes/activities which were substantiated through financial audits.

**MOTION BY FOLTZ, SECOND BY SAADAT, TO ADOPT RESOLUTION NO. OB-14-31 FINDING THAT THE LOAN TOTALING \$3,738,100 MADE BY THE CITY OF IMPERIAL BEACH TO THE FORMER IMPERIAL BEACH REDEVELOPMENT AGENCY WAS FOR LEGITIMATE REDEVELOPMENT PURPOSES, AND OTHER RELATED ACTIONS TAKEN IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 34191.4(b). MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ  
NOES: BOARD MEMBERS: NONE  
ABSENT: BOARD MEMBERS: WEST, WINTER**

**D. ADOPTION OF RESOLUTION NO. OB-14-32 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014 AND RELATED ACTIONS.**

ACTING CHAIRPERSON HENTSCHKE introduced the item.

DEPUTY EXECUTIVE DIRECTOR WADE reported on the item.

**MOTION BY FOLTZ, SECOND BY SAADAT, TO ADOPT RESOLUTION NO. OB-14-32 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014 AND RELATED ACTIONS. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ  
NOES: BOARD MEMBERS: NONE  
ABSENT: BOARD MEMBERS: WEST, WINTER**

**E. ADOPTION OF RESOLUTION NO. OB-14-33 OF THE OVERSIGHT BOARD TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014 (ROPS 14-15A).**

ACTING CHAIRPERSON HENTSCHKE introduced the item.

DEPUTY EXECUTIVE DIRECTOR WADE reported on the item and announced that an Item 38 was added to the Recognized Obligation Payment Schedule (ROPS). He noted that when the ROPS went before the Successor Agency last week, Assembly Bill 471 was pending approval by the Governor. The Bill would allow Successor Agency's to place administrative costs related to performing duties of the Housing Authority acting as the Housing Successor Entity. He noted that the Governor signed the bill and it is now law. He requested that the amount for Item 38 be reduced from \$150,000 to \$75,000 (the amount for six-months) with a corresponding change to the summary page.

**MOTION BY YANDA, SECOND BY FOLTZ, TO ADOPT RESOLUTION NO. OB-14-33 OF THE OVERSIGHT BOARD TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014 (ROPS 14-15A) AS AMENDED BY STAFF. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ  
NOES: BOARD MEMBERS: NONE  
ABSENT: BOARD MEMBERS: WEST, WINTER**

DEPUTY EXECUTIVE DIRECTOR WADE introduced Doug Bradley, Administrative Services Director.

**4. ADJOURNMENT**

The meeting was adjourned at 11:37 a.m.

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Dan Hentschke  
ACTING CHAIR PERSON

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Jacqueline M. Hald, MMC  
CITY CLERK/SECRETARY

OVERSIGHT BOARD OF THE  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

MINUTES

AUGUST 13, 2014

City of Imperial Beach Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

SPECIAL MEETING

1. CALL TO ORDER

CHAIR PERSON WINTER called the Special Meeting to order at 10:31 a.m.

2. ROLL CALL BY CITY CLERK/SECRETARY

Oversight Board Members present: Saadat, King, Kaminsky, Winter, Foltz

Oversight Board Members Absent: Hentschke, Yanda

Staff present: Deputy Executive Director Wade, City Attorney Lyon, City Clerk/Secretary Hald

3. PUBLIC COMMENTS

None.

4. REPORTS

A. INTRODUCTION OF AND OATH OF OFFICE ADMINISTERED TO  
JIM KING (APPOINTED BY THE MAYOR OF IMPERIAL BEACH) AND  
JASON KAMINSKY (APPOINTED BY THE COUNTY OF SAN DIEGO BOARD  
OF SUPERVISORS).

CITY CLERK/SECRETARY HALD administered the Oaths of Office to Jason Kaminsky and Jim King prior to the Oversight Board meeting.

BOARD MEMBERS JIM KING AND JASON KAMINSKY introduced themselves and gave brief overviews about their backgrounds.

B. APPROVAL OF MINUTES.

CHAIR PERSON WINTER announced that only two Board Members attended the Oversight Board meeting of February 26, 2014.

CITY ATTORNEY LYON stated that the approval of the Minutes is ministerial. Even though some Board Members were not in attendance, the Minutes can be approved. If the Board feels more comfortable, the approval of the Minutes can be continued to the next meeting when the other Board Members are present.

Consensus of the Oversight Board to continue approval of the February 26, 2014 Minutes to the next Oversight Board meeting.

C. ELECTION OF VICE CHAIR.

DEPUTY EXECUTIVE DIRECTOR WADE recommended that the Election of the Vice Chair be moved to a future meeting when a full board is in attendance.

Consensus of the Oversight Board to move the Election of the Vice Chair to the September 10, 2014 Oversight Board meeting.

**D. ADOPTION OF OVERSIGHT BOARD RESOLUTION NO. OB-14-34 APPROVING AN AGREEMENT REGARDING RETENTION AND EXPENDITURE OF BOND PROCEEDS FROM 2010 TAX ALLOCATION BONDS BETWEEN THE SUCCESSOR AGENCY AND THE CITY OF IMPERIAL BEACH AS AN ENFORCEABLE OBLIGATION, AND APPROVING RELATED ACTIONS.**

DEPUTY EXECUTIVE DIRECTOR WADE reported on the background and analysis of the item (as detailed in the staff report). He responded to questions of the Oversight Board regarding the process for approval of the grant fund applications submitted by the City and the timeframe in which to expend the bond proceeds. He noted that there is a longer timeframe to expend the bond proceeds based on the terms of the bond covenants and indenture rather than having to spend the funds between the 6-month time period of January to June 2015. With regard to the \$1.2 million in bond proceeds, he stated that the funds will be spent on projects that are eligible for these funds under the bond covenants and the Redevelopment Plan.

CHAIR PERSON WINTER noted that the recitals listed in the agreement (Attachment 1 to the staff report) specify the funds available.

DEPUTY EXECUTIVE DIRECTOR WADE added that the language in the agreement comes directly from the bond covenants. With regard to use of the funds, he stressed that they would have to be used for their intended purpose.

BOARD MEMBER KAMINSKY questioned if the funds get transferred to the City for intended purposes and then not used, what are the assurances that the Oversight Board fulfills its purpose in ensuring that the funds are being used for their proper purpose.

CITY ATTORNEY LYON stated that under the agreement, the City is agreeing with the Successor Agency that funds will be spent on purposes as stated in the bond covenants and indenture of trust. She did not believe that the City would need to go back to the Successor Agency and the Oversight Board to approve the expenditure of each individual fund because the City must abide by the agreement. She also stated that the City is accountable to the Successor Agency.

**MOTION BY KING, SECOND BY FOLTZ, TO APPROVE RESOLUTION NO. OB-14-34 APPROVING AN AGREEMENT REGARDING RETENTION AND EXPENDITURE OF BOND PROCEEDS FROM 2010 TAX ALLOCATION BONDS (THE "AGREEMENT") AS AN ENFORCEABLE OBLIGATION BETWEEN THE SUCCESSOR AGENCY AND THE CITY IN ORDER FOR THE CITY TO RECEIVE AND RETAIN THE BOND PROCEEDS FOR THE CITY'S USE AND EXPENDITURE CONSISTENT WITH THE PURPOSES SET FORTH IN THE TRUST INDENTURE AND THE OFFICIAL STATEMENT FOR THE 2010 TAX ALLOCATION BONDS AND AUTHORIZING THE EXECUTION OF THE AGREEMENT. MOTION CARRIED BY THE FOLLOWING VOTE:**

<b>AYES:</b>	<b>BOARD MEMBERS:</b>	<b>FOLTZ, WINTER, KAMINSKY, KING, SAADAT</b>
<b>NOES:</b>	<b>BOARD MEMBERS:</b>	<b>NONE</b>
<b>ABSENT:</b>	<b>BOARD MEMBERS:</b>	<b>HENTSCHKE, YANDA</b>

**E. ADJOURNMENT**

CHAIR PERSON WINTER adjourned the meeting at 10:56 a.m.

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Mayda C. Winter  
Chairperson

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Jacqueline M. Hald, MMC  
City Clerk/Secretary

**STAFF REPORT  
OVERSIGHT BOARD TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY  
SUCCESSOR AGENCY**

**TO:** CHAIR AND MEMBERS OF THE OVERSIGHT BOARD TO THE  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR  
AGENCY

**FROM:** ANDY HALL, EXECUTIVE DIRECTOR  
GREGORY WADE, DEPUTY DIRECTOR 

**MEETING DATE:** SEPTEMBER 10, 2014

**SUBJECT:** ELECTION OF VICE CHAIR

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**BACKGROUND:**

AB 26 requires that there shall be an oversight board ("Oversight Board") established for each of the former California redevelopment agency's successor agencies to supervise the activities of the Successor Agency and the wind down of the dissolved Redevelopment Agency's affairs pursuant to AB 26.

**DISCUSSION:**

Deric Fernandez, who served as the Oversight Board's Vice Chair, resigned his position on January 21, 2014. Because of Mr. Fernandez's resignation, the position of Vice Chair is currently vacant. The Oversight Board must elect one of its members as a Vice Chair to preside over meetings in the absence of the Chair.

At the Oversight Board Meeting of August 13, 2014, City staff recommended that the Election of a Vice Chair be moved to a future meeting when a full board is in attendance. There was consensus of the Oversight Board to move the Election of a Vice Chair to the September 10, 2014 Oversight Board Meeting.

**ENVIRONMENTAL DETERMINATION:**

This activity is not a "project" and is therefore exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

**FISCAL IMPACT:**

None related to this report.

**EXECUTIVE DIRECTOR'S RECOMMENDATION:**

Elect a Vice Chair for the Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency.



**STAFF REPORT  
OVERSIGHT BOARD  
TO THE**

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

**TO:** CHAIR AND MEMBERS OF THE OVERSIGHT BOARD TO THE  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR  
AGENCY

**FROM:** ANDY HALL, EXECUTIVE DIRECTOR

**MEETING DATE:** SEPTEMBER 10, 2014

**ORIGINATING DEPT.:** GREGORY WADE, DEPUTY EXECUTIVE DIRECTOR 

**SUBJECT:** ADOPTION OF RESOLUTION NO. OB-14-35 OF THE  
OVERSIGHT BOARD TO THE IMPERIAL BEACH  
REDEVELOPMENT AGENCY SUCCESSOR AGENCY  
APPROVING THE ADMINISTRATIVE BUDGET FOR THE  
PERIOD OF JANUARY 1, 2015 THROUGH JUNE 30, 2015 AND  
RELATED ACTIONS

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**EXECUTIVE SUMMARY:**

Successor Agency staff is seeking adoption of Resolution No. OB-14-35 by the Oversight Board approving the Successor Agency's Administrative Budget for the period of January 1, 2015 through June 30, 2015. Pursuant to Section 34177(j) of the Dissolution Act, the Successor Agency is required to prepare an administrative budget for each six-month fiscal period and submit the administrative budget to the Oversight Board for approval. For Imperial Beach, the amount of administrative cost allowance available from the Redevelopment Property Tax Trust Fund (RPTTF) is limited to no more than \$250,000 per fiscal year. Therefore, the proposed Administrative Budget for January to June 2015 totals \$125,000.

**BACKGROUND:**

On June 28, 2011, Assembly Bill No. X1 26 ("AB 26") was signed into law by the Governor of California which called for the dissolution of redevelopment agencies throughout the state and established the procedures by which this was to be accomplished. On December 29, 2011, AB 26 was largely upheld by the California State Supreme Court with some of the dates by which certain dissolution actions were to occur pushed back by four months. As a result of the Supreme Court's decision, and on February 1, 2012, all California redevelopment agencies were dissolved, successor agencies to the former redevelopment agencies were established and were tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the affairs of the former redevelopment agencies.

As part of the wind-down process enacted by AB 26, the City Council adopted Resolution No. 2012-7136 on January 5, 2012, electing for the City to serve as the successor agency to the Redevelopment Agency ("Successor Agency") upon the dissolution of the Redevelopment Agency under AB 26.

On June 27, 2012, the State Legislature passed and the Governor signed Assembly Bill No. 1484 (“AB 1484”, Chapter 26, Statutes 2012) as a trailer bill for the Fiscal Year 2012-2013 State budget package. Although the primary purpose of AB 1484 is to make technical and substantive amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 also imposes additional statutory provisions relating to the activities and obligations of successor agencies and to the wind-down process of former redevelopment agencies.

### **ANALYSIS:**

Pursuant to Section 34177(j) of AB 26, as amended by AB 1484, the Successor Agency is required 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 as amended by AB 1484 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.

Pursuant to AB 26 as amended by AB 1484, an “Administrative Cost Allowance” is paid to the Successor Agency from property tax revenues allocated by the County Auditor-Controller from the Redevelopment Property Tax Trust Fund. The Administrative Cost Allowance is defined as an amount, subject to the approval of the Oversight Board, which is up to 3% of the total amount of property tax allocated to the Successor Agency’s Redevelopment Obligation Retirement Fund to pay for enforceable obligations for each fiscal year, subject to a minimum amount of \$250,000 unless the Oversight Board reduces this amount.

Successor Agency staff is now seeking the Successor Agency’s approval of the administrative budget for the period of January 1, 2015 through June 30, 2015 (“Administrative Budget”), in the form attached to Resolution Number SA-14-44 as Exhibit “A”, and the Successor Agency’s authorization to submit the approved Administrative Budget to the Oversight Board for its consideration at their meeting on September 10, 2014, and to forward the information required by Section 34177(k) to the San Diego County Auditor-Controller. As noted in the Executive Summary, the amount of administrative cost allowance available to the Successor Agency from the Redevelopment Property Tax Trust Fund (RPTTF) is limited to no more than \$250,000 per fiscal year. Therefore, the proposed Administrative Budget for January to June 2015 totals \$125,000.

### **ENVIRONMENTAL DETERMINATION:**

The activity proposed for approval by this Resolution is not a “project” for purposes of CEQA, as that term is defined by CEQA Guidelines Section 15378, because the activity proposed by 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 CEQA Guidelines.

**FISCAL IMPACT:**

As noted above, the Administrative Cost Allowance is defined as an amount, subject to the approval of the Oversight Board, which is up to 3% of the total amount of property tax allocated to the Successor Agency's Redevelopment Obligation Retirement Fund to pay for enforceable obligations for each fiscal year, or a minimum of \$250,000 unless the Oversight Board reduces this amount. The DOF has maintained that the Successor Agency is entitled to receive no more than the minimum of \$250,000 in a given fiscal year. For the six-month period of January 1, 2015 through June 30, 2015, therefore, staff has proposed an Administrative Budget totaling \$125,000 as this is half the amount of the Administrative Cost Allowance we expect to be approved by the DOF on the Recognized Obligation Payment Scheduled for January 1, 2015 to June 30, 2015 (the "ROPS 14-15B").

**RECOMMENDATION:**

Staff recommends that the Oversight Board to the Imperial Beach Redevelopment Agency Successor Agency adopt Resolution Number OB-14-35 approving the Administrative Budget for the period of January 1, 2015 through June 30, 2015, and other related actions.

Attachments:

1. Resolution No. OB-14-35

## RESOLUTION NO. OB-14-35

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE 6-MONTH PERIOD FROM JANUARY 1, 2015 THROUGH JUNE 30, 2015 (ROPS 14-15B PERIOD) AND APPROVING 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**, Assembly Bill No. X1 26 (2011-2012 1<sup>st</sup> Ex. Sess.) ("AB 26") was signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law and to the California Health and Safety Code ("H&S Code"), including adding Part 1.8 (commencing with Section 34161) ("Part 1.8") and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the H&S Code; and

**WHEREAS**, pursuant to AB 26, as modified by the California Supreme Court on December 29, 2011 by its decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal 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 of AB 26, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency on February 1, 2012 under AB 26 ("Successor Agency"); and

**WHEREAS**, on February 1, 2012, the Redevelopment Agency was dissolved by operation of law and the Successor Agency was established pursuant to AB 26; and

**WHEREAS**, on February 15, 2012, the Board of Directors of the Successor Agency, adopted Resolution No. SA-12-01 naming itself the "Imperial Beach Redevelopment Agency Successor Agency," the sole name by which it will exercise its powers and fulfill its duties pursuant to Part 1.85 of AB 26, and establishing itself as a separate legal entity with rules and regulations that will apply to the governance and operations of the Successor Agency; and

**WHEREAS**, as part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26, Statutes 2012). Although the primary purpose of AB 1484 was to make technical and substantive amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 imposes additional statutory provisions relating to the activities and obligations of successor agencies and to the wind down process of former redevelopment agencies; and

**WHEREAS**, AB 26, as amended by AB 1484, has since been further amended by various assembly and senate bills signed by the Governor. AB 26 as amended is hereinafter referred to as the "Dissolution Act"; and

**WHEREAS**, H&S Code Section 34179 of the Dissolution Act establishes a seven (7) member local entity with respect to each successor agency with fiduciary responsibilities to

holders of enforceable obligations and taxing entities that benefit from distributions of property taxes, 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 H&S Code Section 34179. The duties and responsibilities of the Oversight Board are primarily set forth in H&S Code Sections 34179 through 34181 of the Dissolution Act; and

**WHEREAS**, on April 12, 2013, the California Department of Finance ("Department of Finance") issued the Finding of Completion to the Successor Agency pursuant to H&S Code Section 34179.7 of the Dissolution Act; and

**WHEREAS**, H&S Code Section 34177(j) of the Dissolution Act requires the Successor Agency to prepare an administrative budget for each 6-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 6-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**, H&S Code Section 34177(k) of the Dissolution Act requires the Successor Agency to provide to the San Diego County Auditor-Controller ("County Auditor-Controller") for each 6-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 ("RPTTF") established for the Successor Agency; and

**WHEREAS**, the administrative budget covering the 6-month period from January 1, 2015 through June 30, 2015 ("Administrative Budget") was approved by the Successor Agency at its meeting conducted on August 20, 2014; and

**WHEREAS**, the Administrative Budget is attached to this Resolution as Exhibit "A" and is presented to the Oversight Board at this meeting for review and approval; and

**WHEREAS**, the Administrative Budget has been prepared in accordance with H&S Code Section 34177(j) of the Dissolution Act and is consistent with the requirements of the H&S Code and other applicable law. As indicated in the Administrative Budget, the Successor Agency does not directly employ its own staff but relies on the employees and staff members of the City to perform its functions and operations required by the Dissolution Act; and

**WHEREAS**, the proposed source of payment of the costs set forth in the Administrative Budget in the amount of \$125,000 is property taxes from the County's RPTTF established for the Successor Agency. These costs in the amount of \$125,000 are listed as Item #11 on the proposed Recognized Obligation Payment Schedule for the 6-month period from January 1, 2015 through June 30, 2015 ("ROPS 14-15B") for funding from RPTTF, which ROPS 14-15B is proposed to be considered by the Oversight Board at this same meeting of the Oversight Board; and

**WHEREAS**, in accordance with H&S Code Section 34180(j) of the Dissolution Act, the Successor Agency submitted a copy of the Administrative Budget to the San Diego County Administrative Officer, the County Auditor-Controller, and the Department of Finance at the same time that the Successor Agency submitted the Administrative Budget to the Oversight Board for review and approval; and

**WHEREAS**, as required by H&S Code Section 34179(f) of the Dissolution Act, all notices required by law for proposed actions of the Oversight Board will be posted on the Successor Agency's internet website or the Oversight Board's internet website; and

**WHEREAS**, pursuant to H&S Code Section 34179(h) of the Dissolution Act, the Successor Agency is required to provide written notice and information about all actions taken by the Oversight Board to the Department of Finance by electronic means and in the manner of the Department of Finance's choosing; and

**WHEREAS**, in furtherance of Part 1.85 of the Dissolution Act, a copy of the Administrative Budget as approved by the Oversight Board will be submitted to the County Auditor-Controller and both the State Controller's Office and the Department of Finance and will be posted on the Successor Agency's internet website; and

**WHEREAS**, pursuant to H&S Code Section 34183(a)(2) of the Dissolution Act, the County Auditor-Controller is required to make a payment of property tax revenues (i.e. former tax increment funds) from the RPTTF to the Successor Agency on January 2, 2015 for payments to be made toward recognized obligations listed on the approved ROPS 14-15B and for the administrative cost estimates from its approved Administrative Budget; and

**WHEREAS**, the activity proposed for approval by 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, Section 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

**WHEREAS**, the activity proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity proposed by 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 Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency, as follows:

- Section 1.** The Oversight Board determines that the foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The Oversight Board approves the Successor Agency's Administrative Budget covering the 6-month period from January 1, 2015 through June 30, 2015, in substantially the form attached to this Resolution as Exhibit "A".
- Section 3.** The Oversight Board approves property taxes from the County's Redevelopment Property Tax Trust Fund ("RPTTF") established for the Successor Agency as the source of payment of the costs set forth in the Administrative Budget in the amount of \$125,000, to be incurred and paid during the 6-month period from January 1, 2015 through June 30, 2015.
- Section 4.** The Oversight Board authorizes and directs the Executive Director, or designee, of the Successor Agency to: (i) submit the Administrative

Budget, as approved by the Oversight Board, and written notice of the Oversight Board's approval of the Administrative Budget, to the Department of Finance electronically pursuant to H&S Code Section 34179(h) of the Dissolution Act; (ii) submit a copy of the Administrative Budget, as approved by the Oversight Board, to the County Auditor-Controller and the State Controller's Office; (iii) post the Administrative Budget, as approved by the Oversight Board, on the Successor Agency's internet website; (iv) submit to the County Auditor-Controller the administrative cost estimates from the Administrative Budget in the amount of \$125,000 that are to be paid from property tax revenues deposited in the County's RPTTF established for the Successor Agency; and (v) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution on behalf of the Oversight Board.

**Section 5.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

**Section 6.** The Oversight Board determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity approved by 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 7.** This Resolution shall take effect upon the date of its adoption and is subject to review by the Department of Finance in accordance with H&S Code Section 34179(h) of the Dissolution Act.

**PASSED, APPROVED, AND ADOPTED** by the Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 10<sup>th</sup> day of September 2014, by the following vote:

**AYES:           BOARD MEMBERS:**  
**NOES:           BOARD MEMBERS:**  
**ABSENT:        BOARD MEMBERS:**

\_\_\_\_\_  
**CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**JACQUELINE M. HALD, MMC**  
**SUCCESSOR AGENCY SECRETARY**

EXHIBIT "A"

IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY  
ADMINISTRATIVE BUDGET

January 1, 2015 through June 30, 2015

JANUARY 1, 2015 THROUGH JUNE 30, 2015

LABOR COSTS

Position Title	SA Admin Labor Cost
Assistant City Manager/Deputy Director	\$ 35,749.01
Administrative Secretary	\$ 1,090.00
City Manager/Executive Director	\$ 16,954.14
Deputy City Clerk	\$ 1,180.82
City Clerk	\$ 8,291.30
Administrative Services Director	\$ 20,499.38
Senior Account	\$ 1,994.75
Senior Account	\$ 1,740.83
<b>Labor Cost SA Calculation Totals</b>	<b>\$ 87,500</b>

OTHER OPERATING EXPENSES

Legal Costs (6-months)	37,500
<b>Other Operating Expenses Totals:</b>	<b>\$ 37,500</b>
<b>Successor Agency Administrative Cost Total:</b>	<b>\$ 125,000</b>



**STAFF REPORT  
OVERSIGHT BOARD  
TO THE**

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

**TO:** CHAIR AND MEMBERS OF THE OVERSIGHT BOARD TO THE  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR  
AGENCY

**FROM:** ANDY HALL, CITY MANAGER/EXECUTIVE DIRECTOR

**MEETING DATE:** SEPTEMBER 10, 2014

**ORIGINATING DEPT.:** SUCCESSOR AGENCY STAFF  
GREGORY WADE, DEPUTY DIRECTOR *GW*

**SUBJECT:** ADOPTION OF RESOLUTION NO. OB-14-36 OF THE  
OVERSIGHT BOARD TO THE IMPERIAL BEACH  
REDEVELOPMENT AGENCY SUCCESSOR AGENCY  
APPROVING AND ADOPTING THE RECOGNIZED  
OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF  
JANUARY 1, 2015 THROUGH JUNE 30, 2015 (ROPS 14-15B)

**EXECUTIVE SUMMARY:**

Staff is seeking adoption of Resolution No. OB-14-36 that would approve the Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2015 through June 30, 2015 (the "ROPS 14-15B"). A total of \$2,349,484 of Redevelopment Property Tax Trust Fund (RPTTF) monies are being requested for the upcoming six-month period. The increase in the amount requested from the prior ROPS period to this ROPS 14-15B period is due primarily to the 2010 and 2013 Tax Allocation Bond Indenture requirement to set aside a full year of bond payments at the beginning of the calendar year (i.e., for both the ROPS 14-15B and 15-16A periods). Despite the requirement of the bond indentures to set aside the entire debt service at the beginning of the year, it is possible that the Department of Finance (the "DOF") may only approve bond debt service payments for the ROPS 14-15B period (i.e., only the May 2015 payments). The only new item included in the ROPS 14-15B detail is the Agreement Regarding Retention and Expenditure of Bond Proceeds from the 2010 Tax Allocation Bond Proceeds which was approved by the Successor Agency on August 6, 2014, and subsequently approved by the Oversight Board on August 13, 2014, which would provide for an agreement between the City of Imperial Beach and the Successor Agency that would allow the City to receive and retain available 2010 Bond Proceeds for the City's use and expenditure on specified projects consistent with the purposes set forth in the Trust Indenture and the Official Statement.

**BACKGROUND:**

On June 28, 2011, Assembly Bill No. X1 26 ("AB 26") was signed into law by the Governor of California which called for the dissolution of redevelopment agencies throughout the state and established the procedures by which this was to be accomplished. On December 29, 2011, AB 26 was largely upheld by the California State Supreme Court with some of the dates by which

certain dissolution actions were to occur pushed back by four months. 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, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the affairs of the former redevelopment agencies.

As part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484"), which amended certain provisions of AB 26. On September 29, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1585 ("AB 1585"), which further amended certain provisions of AB 26 as amended by AB 1484 (AB 26, AB 1484, and AB 1585 are collectively referred to herein as the "Dissolution Act").

According to the Dissolution Act, the Successor Agency shall prepare a ROPS before each six-month fiscal period. 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, (v) the Redevelopment Property Tax Trust Fund ("RPTTF") 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 the Dissolution Act, and (vi) other revenue sources, including rents, concessions, asset sale proceeds, interest earnings, and any other revenues derived from the former Redevelopment Agency as approved by the Oversight Board.

It is the intent of the Dissolution Act that the ROPS serve as the designated reporting mechanism for disclosing the Successor Agency's minimum bi-annual payment obligations by amount and source and that the San Diego County Auditor-Controller ("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.

The Successor Agency is required to submit the ROPS 14-15B, after its approval and adoption by the Oversight Board, to the DOF and the County Auditor-Controller no fewer than 90 days before the date of property tax distribution on January 2, 2015, which is no later than October 3, 2014. The DOF would complete its review of the ROPS 14-15B by November 17, 2014 with a final determination rendered in mid-December. Upon approval by the DOF, the County Auditor-Controller is required to make a payment of property tax revenues (i.e. former tax increment funds) from the RPTTF to the Successor Agency on January 2, 2015 for payments to be made toward recognized obligations listed on the ROPS 14-15B and approved by the DOF.

On August 20, 2014, the ROPS 14-15B was approved the Successor Agency as prepared and submitted by Successor Agency staff and was forwarded to the Oversight Board for review and consideration.

#### **ANALYSIS:**

As noted above, the ROPS 14-15B must be approved by the Oversight Board and submitted to the DOF by October 3, 2014. The ROPS 14-15B, a copy of which is attached to this staff report, includes requested RPTTF for enforceable obligations for the up-coming six-month period of January 1, 2015 through June 30, 2015. A total of \$2,349,484 of Redevelopment Property Tax Trust Fund (RPTTF) monies are being requested for the upcoming six-month period. The increase in the amount requested from the prior ROPS period to this ROPS 14-15B

period is due primarily to the 2010 and 2013 Tax Allocation Bond Indenture requirement to set aside a full year of bond debt service payments at the beginning of the calendar year (i.e., for both the ROPS 14-15B and 15-16A periods). Therefore, in addition to the required 2010 and 2013 May 2015 bond debt service payments during the ROPS 14-15B period of \$755,553 and \$395,231, respectively, the ROPS 14-15B also includes requested RPTTF in the amount of \$517,028 and \$395,231, respectively, for the 2010 and 2013 bond debt service payments due in November 2015. This totals additional \$912,259 of requested RPTTF during the ROPS 14-15B period for a year of debt service for both the 2010 and 2013 bonds. Despite the requirement of the bond indentures to set aside an entire year of debt service at the beginning of the year, it is possible that the Department of Finance (the "DOF") may approve bond debt service payments for the ROPS 14-15B period only (i.e., only the May 2015 payments).

The only new item included in the ROPS 14-15B detail is the Agreement Regarding Retention and Expenditure of Bond Proceeds from the 2010 Tax Allocation Bond Proceeds which was approved by the Successor Agency on August 6, 2014, and subsequently approved by the Oversight Board on August 13, 2014, which authorizes the execution of an agreement between the City of Imperial Beach and the Successor Agency that, if approved by the DOF on the ROPS 14-15B, would allow the City to receive and retain available 2010 Bond Proceeds for the City's use and expenditure on specified projects consistent with the purposes set forth in the Trust Indenture and the Official Statement. On August 19, 2014, staff received an email from the DOF indicating the DOF had requested a review action approving Resolution No. OB-14-34 authorizing this agreement. The FOF has 40 days in which to review the actions taken by the Oversight Board and the agreement that is the subject of that action.

#### City Loan Repayment

On April 12, 2013, the Successor Agency received its Finding of Completion. Among other things, this allowed the Successor Agency to place loan agreements entered into between the former redevelopment agency and the City on the ROPS 14-15A as an enforceable obligation provided the Oversight Board makes a finding that the loan was for legitimate redevelopment purposes. On April 18, 2014, the DOF approved the repayment of this loan to the City. Pursuant to the Dissolution Act, the amount of RPTTF that may be received to repay the loan is subject to a formula that sets a maximum repayment amount per fiscal year. The Successor Agency received the maximum annual amount for the ROPS 14-15A period and, therefore, staff has been advised by the DOF that we must wait until the ROPS 15-16A to request the next repayment of the City Loan.

As noted above, the total amount of RPTTF requested for enforceable obligations during this ROPS 14-15A totals \$2,349,484. Again, this total includes requested bond debt service payments for 2010 and 2013 bonds during the ROPS 15-16A period (due November 2015) totaling \$912,259. The total RPTTF requested also includes the annual Administrative Cost Allowance of \$125,000 which is half of the annual total maximum (\$250,000) allowed for distribution to the Successor Agency pursuant to the Administrative Cost Allowance provisions of the Dissolution Act.

#### **ENVIRONMENTAL DETERMINATION:**

The activity proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term is defined by CEQA Guidelines Section 15378, because the activity proposed by 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 CEQA Guidelines.

**FISCAL IMPACT:**

Approval of the obligations listed on the ROPS 14-15B and funding of those obligations from RPTTF will allow the Successor Agency to make required and timely payments for those obligations during the period from January 1, 2015 through June 30, 2015. The amount of RPTTF requested to fund enforceable obligations totals \$2,349,484 and, if approved by the DOF, would provide a full year of bond debt service payments for the 2010 and 2013 Tax Allocation Bonds.

**RECOMMENDATION:**

Staff recommends that the Oversight Board to the Imperial Beach Redevelopment Agency Successor Agency adopt Resolution Number OB-14-36 approving the Recognized Obligation Payment Schedule for the period of January 1, 2015 through June 30, 2015 (referred to as the "ROPS 14-15B").

Attachments:

1. Resolution No. OB-14-36
2. ROPS 14-15B

## RESOLUTION NO. OB-14-36

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 14-15B) FOR THE 6-MONTH PERIOD FROM JANUARY 1, 2015 THROUGH JUNE 30, 2015 AND APPROVING 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**, Assembly Bill No. X1 26 (2011-2012 1<sup>st</sup> Ex. Sess.) ("AB 26") was signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law and to the California Health and Safety Code ("H&S Code"), including adding Part 1.8 (commencing with Section 34161) ("Part 1.8") and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the H&S Code; and

**WHEREAS**, pursuant to AB 26, as modified by the California Supreme Court on December 29, 2011 by its decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal 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 of AB 26, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency on February 1, 2012 under AB 26 ("Successor Agency"); and

**WHEREAS**, on February 1, 2012, the Redevelopment Agency was dissolved by operation of law and the Successor Agency was established pursuant to AB 26; and

**WHEREAS**, on February 15, 2012, the Board of Directors of the Successor Agency, adopted Resolution No. SA-12-01 naming itself the "Imperial Beach Redevelopment Agency Successor Agency," the sole name by which it will exercise its powers and fulfill its duties pursuant to Part 1.85 of AB 26, and establishing itself as a separate legal entity with rules and regulations that will apply to the governance and operations of the Successor Agency; and

**WHEREAS**, as part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26, Statutes 2012). Although the primary purpose of AB 1484 was to make technical and substantive amendments to AB 26 based on issues that have arisen in the implementation of AB 26, AB 1484 imposes additional statutory provisions relating to the activities and obligations of successor agencies and to the wind down process of former redevelopment agencies; and

**WHEREAS**, AB 26, as amended by AB 1484, has since been further amended by various assembly and senate bills signed by the Governor. AB 26 as amended is hereinafter referred to as the "Dissolution Act"; and

**WHEREAS**, H&S Code Section 34179 of the Dissolution Act establishes a seven (7) member local entity with respect to each successor agency with fiduciary responsibilities to

holders of enforceable obligations and taxing entities that benefit from distributions of property taxes, 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 H&S Code Section 34179. The duties and responsibilities of the Oversight Board are primarily set forth in H&S Code Sections 34179 through 34181 of the Dissolution Act; and

**WHEREAS**, on April 12, 2013, the California Department of Finance ("Department of Finance") issued the Finding of Completion to the Successor Agency pursuant to H&S Code Section 34179.7 of the Dissolution Act; and

**WHEREAS**, pursuant to H&S Code Section 34171(h) of the Dissolution Act, a "Recognized Obligation Payment Schedule" ("ROPS") means the document setting forth the minimum payment amounts and due dates of payments required by enforceable obligations of the Successor Agency for each 6-month fiscal period as provided in H&S Code Section 34177(m) of the Dissolution Act; and

**WHEREAS**, pursuant to H&S Code Section 34177(l)(3) of the Dissolution Act, the ROPS shall be forward looking to the next six (6) months; and

**WHEREAS**, according to H&S Code Section 34177(l)(1) of the Dissolution Act, the Successor Agency shall prepare a ROPS before each 6-month fiscal period. 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, (v) the Redevelopment Property Tax Trust Fund ("RPTTF") 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 the Dissolution Act, and (vi) other revenue sources, including rents, concessions, asset sale proceeds, interest earnings, and any other revenues derived from the former Redevelopment Agency as approved by the Oversight Board in accordance with Part 1.85 of the Dissolution Act; and

**WHEREAS**, it is the intent of the Dissolution Act that the ROPS serve as the designated reporting mechanism for disclosing the Successor Agency's minimum bi-annual payment obligations by amount and source and that the San Diego County Auditor-Controller ("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**, pursuant to H&S Code Section 34177(m) of the Dissolution Act, the Successor Agency is required to submit the ROPS for the 6-month period of January 1, 2015 through June 30, 2015, after its approval and adoption by the Oversight Board, to the Department of Finance and the County Auditor-Controller no fewer than 90 days before the date of property tax distribution on January 2, 2015, which is no later than October 3, 2014; and

**WHEREAS**, the ROPS covering the 6-month period from January 1, 2015 through June 30, 2015 ("ROPS 14-15B") was approved and adopted by the Successor Agency at its meeting conducted on August 20, 2014; and

**WHEREAS**, the ROPS 14-15B is attached to this Resolution as Exhibit "A" and is presented to the Oversight Board at this meeting for review, approval, and adoption; and

**WHEREAS**, in accordance with H&S Code Section 34177(l)(2)(B) of the Dissolution Act, the Successor Agency submitted a copy of the ROPS 14-15B to the San Diego County

Administrative Officer ("County Administrative Officer"), the County Auditor-Controller, and the Department of Finance at the same time that the Successor Agency submitted the ROPS 14-15B to the Oversight Board for review, approval and adoption; and

**WHEREAS**, as required by H&S Code Section 34179(f) of the Dissolution Act, all notices required by law for proposed actions of the Oversight Board will be posted on the Successor Agency's internet website or the Oversight Board's internet website; and

**WHEREAS**, pursuant to H&S Code Section 34177(l)(2)(C) of the Dissolution Act, a copy of the Oversight Board-approved ROPS 14-15B 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 H&S Code Section 34177(m)(1) of the Dissolution Act, the Successor Agency shall submit a copy of the Oversight Board-approved ROPS 14-15B to the Department of Finance electronically and the Successor Agency shall have completed the ROPS 14-15B in the manner provided by the Department of Finance; and

**WHEREAS**, pursuant to H&S Code Section 34183(a)(2) of the Dissolution Act, the County Auditor-Controller is required to make a payment of property tax revenues (i.e. former tax increment funds) from the RPTTF to the Successor Agency on January 2, 2015 for payments to be made toward recognized obligations listed on the ROPS 14-15B and approved by the Department of Finance; and

**WHEREAS**, the proposed ROPS 14-15B is consistent with the requirements of the H&S Code and other applicable law; and

**WHEREAS**, the proposed ROPS 14-15B contains the schedules for payments on enforceable obligations required for the applicable 6-month period and sources of funds for payments as required pursuant to H&S Code Section 34177(l) of the Dissolution Act; and

**WHEREAS**, pursuant to H&S Code Section 34177(m) of the Dissolution Act, the ROPS 14-15B as approved and adopted by the Oversight Board shall be submitted to the Department of Finance and the County Auditor-Controller by October 3, 2014. Section 34177(m) further provides that the Department of Finance shall make its determination of the enforceable obligations and the amounts and funding sources of enforceable obligations no later than 45 days after the ROPS is submitted and that the Successor Agency may, within 5 business days of the Department of Finance's determination, request an additional review by the Department of Finance and an opportunity to meet and confer on disputed items. In the event of a meet and confer and request for additional review, the meet and confer period may vary but the Department of Finance shall notify the Successor Agency and the County Auditor-Controller as to the outcome of its review at least 15 days before the date of property tax distribution on January 2, 2015; and

**WHEREAS**, the activity proposed for approval by 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, Section 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

**WHEREAS**, the activity proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity proposed by 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 Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency, as follows:

- Section 1.** The Oversight Board determines that the foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** The Oversight Board approves and adopts the ROPS 14-15B for the 6-month period from January 1, 2015 through June 30, 2015, in substantially the form attached to this Resolution as Exhibit "A", and determines that all obligations listed on the ROPS 14-15B constitute "enforceable obligations" and "recognized obligations" for all purposes of the Dissolution Act.
- Section 3.** The Oversight Board authorizes and directs the Executive Director, or designee, of the Successor Agency to: (i) submit the ROPS 14-15B, as approved and adopted by the Oversight Board, to the Department of Finance electronically and to the County Auditor-Controller no later than October 3, 2014; (ii) submit a copy of the ROPS 14-15B, as approved and adopted by the Oversight Board, to the State Controller's Office and post the ROPS 14-15B on the Successor Agency's internet website; (iii) revise the ROPS 14-15B, and make such changes and amendments as necessary, before official submittal of the ROPS 14-15B to the Department of Finance in order to complete the ROPS 14-15B in the manner provided by the Department of Finance and to conform the ROPS 14-15B to the form or format as may be prescribed by the Department of Finance; (iv) make other non-substantive changes and amendments to the ROPS 14-15B as may be approved by the Executive Director of the Successor Agency and its legal counsel; and (v) take such other actions and execute such other documents as are necessary or desirable to effectuate the intent of this Resolution on behalf of the Oversight Board.
- Section 4.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
- Section 5.** The Oversight Board determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity approved by 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 and is subject to review by the Department of Finance in accordance with H&S Code Section 34177(m) of the Dissolution Act.

**PASSED, APPROVED, AND ADOPTED** by the Oversight Board of the Imperial Beach Redevelopment Agency Successor Agency at its meeting held on the 10<sup>th</sup> day of September 2014, by the following vote:

**AYES:           BOARD MEMBERS:**  
**NOES:           BOARD MEMBERS:**  
**ABSENT:        BOARD MEMBERS:**

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**CHAIRPERSON**

**ATTEST:**

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**JACQUELINE M. HALD, MMC**  
**SUCCESSOR AGENCY SECRETARY**

**EXHIBIT "A"**

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY  
RECOGNIZED OBLIGATION PAYMENT SCHEDULE**

**January 1, 2015 through June 30, 2015  
("ROPS 14-15B")**

**(attached)**

## Recognized Obligation Payment Schedule (ROPS 14-15B) - Summary

Filed for the January 1, 2015 through June 30, 2015 Period

Name of Successor Agency: Imperial Beach  
 Name of County: San Diego

Current Period Requested Funding for Outstanding Debt or Obligation	Six-Month Total
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding</b>	
<b>A Sources (B+C+D):</b>	<b>\$ 3,074,452</b>
B Bond Proceeds Funding (ROPS Detail)	3,074,452
C Reserve Balance Funding (ROPS Detail)	-
D Other Funding (ROPS Detail)	-
<b>E Enforceable Obligations Funded with RPTTF Funding (F+G):</b>	<b>\$ 2,372,518</b>
F Non-Administrative Costs (ROPS Detail)	2,247,518
G Administrative Costs (ROPS Detail)	125,000
<b>H Current Period Enforceable Obligations (A+E):</b>	<b>\$ 5,446,970</b>

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
I Enforceable Obligations funded with RPTTF (E):	2,372,518
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	<span style="color: red;">(23,034)</span>
<b>K Adjusted Current Period RPTTF Requested Funding (I-J)</b>	<b>\$ 2,349,484</b>

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
L Enforceable Obligations funded with RPTTF (E):	2,372,518
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
<b>N Adjusted Current Period RPTTF Requested Funding (L-M)</b>	<b>2,372,518</b>

Certification of Oversight Board Chairman:  
 Pursuant to Section 34177 (m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

Name	Title
Signature	Date

**Recognized Obligation Payment Schedule (ROPS 14-15B) - ROPS Detail**  
**January 1, 2015 through June 30, 2015**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P
										Funding Source					
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total
								\$ 54,917,156		\$ 3,074,452	\$ -	\$ -	\$ 2,247,518	\$ 125,000	\$ 5,446,970
2	2010 Tax Allocation Bonds Series	Bonds Issued On or Before 12/31/10	11/18/2010	6/1/2040	Wells Fargo Bank	Bond Debt Service pursuant to Section 34171 (d) (1) (A) and 34171(d)(1)( E ) and as mandated by the bond indenture	Palm Ave Commercial Corridor PA1, PA2	21,235,000	N				755,553		755,553
4	2010 Tax Allocation Bonds Series Reserve	Bonds Issued On or Before 12/31/10	11/18/2010	6/1/2040	Wells Fargo Bank	Reserve for bond Debt Service pursuant to Section 34171 (d) (1) (A) and 34171(d)(1)( E ) and as mandated by the bond indenture	Palm Ave Commercial Corridor PA1, PA2		N				517,028		517,028
5	Housing Loan/Advance to make Bond Payment	City/County Loans On or Before 6/27/11	5/1/2012	6/30/2015	Housing Authority	Advance/loaned Housing Deficiency Low Mod Tax Increment Funds loaned/advanced to pay May 2012 Bond Payments. Section 34171 (d) (1) (G). See Notes Page.	Palm Ave Commercial Corridor PA1, PA2		N						-
6	Housing Loan/Advance to pay Enforceable Obligations	City/County Loans After 6/27/11	6/1/2012	7/1/2015	Housing Authority	Advance/loaned Housing Deficiency Low Mod Tax Increment Funds loaned/advanced to pay ROPS 1 & 2 enforceable obligations. Section 34171 (d) (1) (G). See Notes Page.	Palm Ave Commercial Corridor PA1, PA2		N						-
7	Housing (HA) Loan/Advance to pay Enforceable Obligations	City/County Loans After 6/27/11	6/1/2012	7/2/2015	Housing Authority	Advance/loaned Housing Deficiency Low Mod Tax Increment Funds (HA) loaned/advanced to pay ROPS 1 & 2 enforceable obligations. Section 34171 (d) (1) (G). See Notes Page.	Palm Ave Commercial Corridor PA1, PA2		N						-
8	Housing Agreement	Miscellaneous	1/1/2011	7/3/2015	Imperial Beach	For provisions of housing costs under CRL pursuant to Health and Safety Code 34171 (d) (3), 34176. See Notes Page	Palm Ave Commercial Corridor PA1, PA2		N						-
11	Admin Budget	Admin Costs	1/1/2015	6/30/2015	Successor Agency & City of Imperial Beach	Per Sections 34177(j) and 34177(k) of the Dissolution Act, the Administrative Budget and estimated payment with RPTTF was approved by Successor Agency on August 20, 2014 by Resolution and presented to the Oversight Board for approval by Resolution on September 10, 2014. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	125,000	N					125,000	125,000
12	City Service Agreement	City/County Loans On or Before 6/27/11	7/1/2007	12/31/2014	City of Imperial Beach	Per AB 26/AB 1484 - Section 34171 (d) (1) (F), 34178 (a), 34180 (h). See Notes Page.	Palm Ave Commercial Corridor PA1, PA2		N						-
13	Legal	Legal	11/13/2013	2/1/2016	McDougal Love/Kane Ballmer	Legal Services provided to Successor Agency per enforceable obligations.	Palm Ave Commercial Corridor PA1, PA2	200,000	N						-
14	Pier South Hotel Project Requirements	OPA/DDA/Construction	12/1/2010	3/15/2066	Successor Agency & City of Imperial Beach	Fulfillment of Project requirements per Developer/Former RDA DDA and Ground Lease, per H&S Code Section 34171(d)(1)(E). See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	150,000	N				10,000		10,000
18	Litigation - Defense Costs/Fees	Litigation	4/25/2012	2/1/2016	Successor Agency, City of Imperial Beach, McDougal Love, and Kane Ballmer	Lawsuit filed by Affordable Housing Coalition of San Diego County re obligations of Former RDA. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	100,000	N				30,000		30,000
19	Oversight Board Costs Required by State Law	Admin Costs	1/1/2015	6/30/2015	Successor Agency & City of Imperial Beach	Costs incurred by Successor Agency as requested and required by the Oversight Board per State law. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	20,000	N						-
22	9th & Palm Avenue Real Estate Management	Property Maintenance	1/1/2015	6/30/2015	Successor Agency & City of Imperial Beach	Costs relating to Successor Agency owned asset per LRPMP and PSA. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	60,000	N				60,000		60,000
23	Tax Allocation Bonds Required Annual Continuing Disclosure	Fees	11/18/2010	6/1/2040	NBS	Costs relating to required annual continuing disclosure obligations of the Successor Agency on the 2013 Series A TABs and 2010 TABs. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	7,900	N				3,950		3,950

**Recognized Obligation Payment Schedule (ROPS 14-15B) - ROPS Detail**  
**January 1, 2015 through June 30, 2015**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P
										Funding Source					
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total
24	Tax Allocation Bonds Property Tax Data Collection/Monitoring	Fees	1/14/2004	6/1/2040	HdL	Data used by NBS for preparation of the required annual continuing disclosure obligations of the Successor Agency on the 2013 Series A TABs and 2010 TABs. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	4,050	N				2,025		2,025
25	Successor Agency Annual Financial Audit and Financial Statements Required by State Law	Dissolution Audits	9/4/2013	12/31/2014	Lance, Soll Lundgard, CPA Firm	Costs relating to the Successor Agency's preparation of Annual Audit and Financial Statements required by State law. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	6,007	N						-
29	City Loan Repayment Indebtedness - Loan from City to Former RDA within 2 years of Redevelopment Plan Adoption and Expansion/Amendment - H&S Code Section 34191.4(b)	City/County Loans On or Before 6/27/11	6/7/1995	12/21/2023	City of Imperial Beach	City loan to Former RDA executed within 2 years of Redevelopment Agency formation and repaid per H&S Code Section 34191.4(b) as approved by the DOF by letter dated April 18, 2014. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	2,622,885	N						-
34	Bond Services 2010 TABs and 2013 Series A Tax Allocation Refunding Bonds	Fees	11/18/2010	6/1/2040	Wells Fargo	Trustee Services for 2010 TABs and the 2013 Series A Tax Allocation Refunding Bonds. See Notes Page.	Palm Ave Commercial Corridor PA1, PA3	36,000	N				3,500		3,500
35	ROPS II Unfunded Obligations Cash-Flow Deficit	RPTTF Shortfall	7/1/2012	12/31/2014	Successor Agency & City of Imperial Beach	Actual costs incurred exceeded DOF-approved amounts on ROPS II for: Wells Fargo Bank Continuing Bond Disclosure (\$3,200 estimated versus \$4,000 actual incurred) and RDA Statute of Compliance (\$2,611 estimated versus \$2,785 actual incurred). See Notes Page.			Y						-
36	2013 Series A Tax Allocation Refunding Bonds issued by the SA in compliance with H&S Code Section 34177.5 as approved by the DOF	Bonds Issued On or Before 12/31/10	12/4/2013	6/1/2033	Wells Fargo Bank	Bond Debt Service pursuant to H&S Code Section 34171 (d) (1) (A) and 34171(d)(1)( E ). See Notes Page.		27,200,862	N				395,231		395,231
37	Reserve for the 2013 Series A Tax Allocation Refunding Bonds	Reserves	12/4/2013	6/1/2033	Wells Fargo Bank	Reserve for Bond Debt Service pursuant to Section 34171 (d) (1) (A) and 34171(d)(1)( E ) and as mandated by the bond indenture.			N				395,231		395,231
38	Successor Housing Entity Administrative Cost Allowance per AB 471	Admin Costs	7/1/2014	6/30/2015	Housing Authority	Housing Entity Administrative Costs per Assembly Bill 471		75,000	N				75,000		75,000
39	Agreement Regarding Retention and Expenditure of Bond Proceeds from 2010 Tax Allocation Bond Proceeds	Bonds Issued On or Before 12/31/10	1/1/2015	6/30/2015	City of Imperial Beach	Agreement to retain and expend Bond Proceeds from 2010 Tax Allocation Bonds in a manner consistent with the purposes for which they were sold and consistent with the original bond covenants pursuant to Section 34191.4(c) and as allowed pursuant to issuance of our Finding of Completion dated April 12, 2013.	Palm Ave Commercial Corridor PA1, PA2	3,074,452	N	3,074,452					3,074,452
40									N						-
41									N						-
42									N						-
43									N						-
44									N						-
45									N						-
46									N						-
47									N						-
48									N						-
49									N						-
50									N						-
51									N						-

**Recognized Obligation Payment Schedule (ROPS 14-15B) - Report of Cash Balances**

(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [https://rad.dof.ca.gov/rad-sa/pdf/Cash\\_Balance\\_Agency\\_Tips\\_Sheet.pdf](https://rad.dof.ca.gov/rad-sa/pdf/Cash_Balance_Agency_Tips_Sheet.pdf).

A	B	C	D	E	F	G	H	I
Cash Balance Information by ROPS Period		Fund Sources						Comments
		Bond Proceeds		Reserve Balance		Other	RPTTF	
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	
<b>ROPS 13-14B Actuals (01/01/14 - 06/30/14)</b>								
1	Beginning Available Cash Balance (Actual 01/01/14)	1,274,452			1,907,790			Amount of 2010 Bond Proceeds shown in C-1 were
2	Revenue/Income (Actual 06/30/14) RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014						243,645	
3	Expenditures for ROPS 13-14B Enforceable Obligations (Actual 06/30/14) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q				1,267,647		135,110	Amount expended for bond debt service payments
4	Retention of Available Cash Balance (Actual 06/30/14) RPTTF amount retained should only include the amounts distributed for debt service reserve(s) approved in ROPS 13-14B						90,506	On the ROPS 13-14B, \$90,506 of RPTTF approve
5	ROPS 13-14B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 13-14B PPA in the Report of PPA, Column S			No entry required			23,034	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	1,274,452	-	-	640,143	-	(5,005)	
<b>ROPS 14-15A Estimate (07/01/14 - 12/31/14)</b>								
7	Beginning Available Cash Balance (Actual 07/01/14) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	1,274,452	-	-	730,649	-	18,029	
8	Revenue/Income (Estimate 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014						1,618,473	
9	Expenditures for ROPS 14-15A Enforceable Obligations (Estimate 12/31/14)				730,649		1,656,981	
10	Retention of Available Cash Balance (Estimate 12/31/14) RPTTF amount retained should only include the amount distributed for debt service reserve(s) approved in ROPS 14-15A							
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	1,274,452	-	-	-	-	(20,479)	





## Recognized Obligation Payment Schedule (ROPS 14-15B) - Notes

January 1, 2015 through June 30, 2015

Item #	Notes/Comments
4	A bond debt service reserve must be established pursuant to the Bond Indenture for the 2010 Series A Tax Allocation Bonds and to meet cash flow requirements of the bond debt service payments listed in Item 2 of the ROPS. There are semi-annual debt service payments made 5 days before June 1 and 5 days before December 1 of each year. The December payment is interest only and the June payment is principal and interest. The \$517,028 requested for bond debt service reserve is intended to ensure that, together with the amount of property tax anticipated to be distributed to the SA in June 2015, sufficient funds will be available to make the December 2015 payment. This reserve for a bond debt service payment due December 2015, constitutes an enforceable obligation pursuant to H&S Code Section 34171(d)(1)(A) and 34171(d)(1)(E).
11	The amount of the Administrative Cost Allowance is not intended to limit the use and amount of other funds available to the Successor Agency, if any is available, to be used to pay for additional administrative costs included in the Administrative Budget for the period January 1, 2015 through June 30, 2015.
14	These costs are associated with a DDA entered into by the Former RDA on December 16, 2010 and the Ground Lease, as required by the DDA, on March 15, 2011. Pursuant to H&S Code Section 34171(d)(1)(E), this item constitutes an enforceable obligation. This item is specifically excluded from the definition of and payment by the administrative cost allowance and does not constitute an administrative cost as a project-related cost pursuant to H&S Code Section 34171(b). Payment of this obligation is required by the underlying Former RDA DDA and Ground Lease and therefore constitutes an enforceable obligation of the Successor Agency pursuant to H&S Code Section 34171(d)(1)(E) and shall be payable from RPTTF monies.
18	Litigation costs due to the filing of a lawsuit by the Affordable Housing Coalition of San Diego County alleging that unmet obligations of the Former RDA pursuant to the California Community Redevelopment Law constitute an enforceable obligation of the Successor Agency payable from RPTTF. Costs relating to potential and pending litigation in connection with assets or obligations constitute an enforceable obligation of the Successor Agency and shall be payable from RPTTF monies, not as an administrative cost, pursuant to H&S Code Section 34171(b).
22	These costs are associated with managing this real estate asset owned by the Successor Agency per the LRPMP and Purchase and Sale Agreement approved by the DOF. Further, these costs are specifically excluded from the definition of and payment by the administrative cost allowance and does not constitute an administrative cost as a cost for maintaining assets pursuant to H&S Code Section 34171(b) and constitutes an enforceable obligation pursuant to H&S Code Section 34171(d)(1)(E). Payment of these obligations constitute an enforceable obligation of the Successor Agency and shall be payable from RPTTF monies.
23	Costs relating to annual continuing disclosure obligations of the Successor Agency on the 2013 Series A Tax Allocation Refunding Bonds and the 2010 TABs are required by the Indentures governing the issuance of the TABs and constitute enforceable obligations of the Successor Agency pursuant to H&S Code Sections 34171(d)(1)(A) and 34171(d)(1)(E), and shall be payable from RPTTF monies, not as an administrative cost.
24	Costs relating to data collection and monitoring for the annual continuing disclosure obligations of the Successor Agency on the 2013 Series A Tax Allocation Refunding Bonds and the 2010 TABs are required by the Indentures governing the issuance of the TABs and constitute enforceable obligations of the Successor Agency pursuant to H&S Code Sections 34171(d)(1)(A) and 34171(d)(1)(E), and shall be payable from RPTTF monies, not as an administrative cost.
29	City loan to Former RDA executed within 2 years of Redevelopment Agency formation and repaid per H&S Code Section 34191.4(b) as approved by the DOF by letter dated April 18, 2014. A portion of the City loan was repaid by RPTTF during the ROPS 14-15A period. The remaining balance will be sought for approval for repayment during the ROPS 14-16A period and subsequent ROPS periods until repaid in full.
34	Costs relating to Trustee services provided to the Successor Agency for both the 2010 Series A Tax Allocation Bonds and the 2013 Series A Tax Allocation Refunding Bonds are required by the Indenture governing the issuance of these TABs and constitute enforceable obligations of the Successor Agency pursuant to H&S Code Sections 34171(d)(1)(A) and 34171(d)(1)(E), and shall be payable from RPTTF monies, not as an administrative cost.
36	The 2003 Series A Tax Allocation Bonds were refunded with the issuance of 2013 Series A Tax Allocation Refunding Bonds on December 4, 2013, as approved by the DOF. This Item 36 is for the debt service related to the 2013 Series A Tax Allocation Refunding Bonds payable in June 2015.

