

RESOLUTION OBSA-021

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE SOLANA BEACH REDEVELOPMENT AGENCY APPROVING THE SIXTH RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 14-15A) FOR THE PERIOD JULY 1, 2014 THROUGH DECEMBER 31, 2014 AND MAKING RELATED DETERMINATIONS AND TAKING RELATED ACTIONS IN CONNECTION THEREWITH.

WHEREAS, the Solana Beach Redevelopment Agency (“Redevelopment Agency”) was a redevelopment agency in the City of Solana 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 Redevelopment Agency was responsible for the administration of redevelopment activities within the City; and

WHEREAS, Assembly Bill No. 1x26 (2011-2012 1st 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 (“Health and Safety 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 Health and Safety 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, on January 11, 2012, the City Council of the City adopted Resolution 2012-011, 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 under AB 26 (“Successor Agency”); and

WHEREAS, as part of the Fiscal Year 2012/13 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. On October 13, 2013, the Legislature passed and the Governor signed Senate Bill No. 341 ("SB 341"), which further amended certain provisions of AB 26 as amended by AB 1484 and AB 1585 (AB 26, AB 1484, AB 1585, and SB 341 are collectively referred to herein as the "Dissolution Act"); and

WHEREAS, Health and Safety Code Section 34179 of the Dissolution Act 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 Health and Safety Code Section 34179 of the Dissolution Act. The duties and responsibilities of the Oversight Board are primarily set forth in Health and Safety Code Sections 34179 through 34181 of the Dissolution Act; and

WHEREAS, pursuant to Health and Safety Code Section 34171(m) 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 for each six-month fiscal period as provided in Section 34177(m) of the Health and Safety Code; and

WHEREAS, pursuant to Health and Safety 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 Health and Safety Code Section 34177(l)(1) of 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 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, pursuant to Health and Safety Code Section 34177(a)(1) of the Dissolution Act, the Successor Agency may only make payments required pursuant to an approved ROPS; and

WHEREAS, pursuant to Health and Safety Code Section 34177 of the Dissolution Act, the Successor Agency, on February 12, 2014, received the ROPS covering the period from July 1, 2014 through December 31, 2014

("ROPS 14-15A"), in substantial form attached to this Resolution as Exhibit "A", and the Successor Agency authorized the submission of the ROPS 14-15A to the Oversight Board for its approval; and

WHEREAS, the ROPS 14-15A is now being submitted to the Oversight Board for review and approval in accordance with Health and Safety Code Sections 34177(l)(2)(B) and 34180(g) of the Dissolution Act; and

WHEREAS, the proposed ROPS 14-15A attached to this Resolution as Exhibit "A" is consistent with the requirements of the Health and Safety Code and other applicable law; and

WHEREAS, ROPS 14-15A contains the schedules for payments on enforceable obligations required of the Successor Agency for the applicable six-month period and sources of funds for payment as required pursuant to Health and Safety Code Section 34177(l) of the Dissolution Act; and

WHEREAS, pursuant to Health and Safety Code Section 34177(m) of the Dissolution Act, the Successor Agency is required to submit the ROPS 14-15A, after its approval by the Oversight Board, to the California Department of Finance ("Department of Finance") and the San Diego County Auditor-Controller ("County Auditor-Controller") no fewer than 90 days before the date of property tax distribution on June 1, 2014, which is no later than March 3, 2014; and

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

WHEREAS, pursuant to the Dissolution Act, the Oversight Board met at a duly noticed public meeting on February 13, 2014 to consider approval of the ROPS 14-15A among other approvals; and

WHEREAS, after reviewing the ROPS 14-15A presented to and recommended for approval to the Oversight Board by the Successor Agency, and after reviewing any written and oral comments from the public relating thereto, the Oversight Board desires to approve the ROPS 14-15A; 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, Sections 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 such activity 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.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency hereby resolves and determines as follows:

SECTION 1. The foregoing recitals are true and correct, and, together with information provided by the Successor Agency and the public, form the basis for the approvals, resolutions, and determinations set forth below.

SECTION 2. The Oversight Board hereby approves the ROPS 14-15A in the form presented to the Oversight Board and attached hereto as Exhibit A which includes the approval of the agreements and obligations described in the ROPS 14-15A, and hereby determines that such agreements and obligations constitute “enforceable obligations” and “recognized obligations” for all purposes of the Dissolution Act in connection with the ROPS 14-15A.

SECTION 3. The Oversight Board has examined the items contained on the ROPS 14-15A and determines that each of them is necessary for the continued maintenance and preservation of property owned by the Successor Agency until disposition and liquidation, the continued administration of the enforceable obligations herein approved by the Oversight Board, or the expeditious wind-down of the affairs of the former Redevelopment Agency by the Successor Agency.

SECTION 4. The Oversight Board hereby authorizes the Successor Agency to enter into any agreements and amendments to agreements necessary to implement the agreements and obligations in the ROPS 14-15A and herein approved by the Oversight Board unless Oversight Board approval of such Successor Agency action is otherwise required pursuant to the Dissolution Act.

SECTION 5. The Oversight Board hereby authorizes and directs the Successor Agency to submit copies of the ROPS 14-15A adopted by this Resolution as required under the Dissolution Act, in the method required, and in a manner to avoid a late submission or accrual of any penalties. In this regard, the Executive Director, or designee, of the Successor Agency is hereby

authorized and directed to: (i) submit the ROPS 14-15A, as approved by the Oversight Board, to the Department of Finance (electronically) and the County Auditor-Controller no later than March 3, 2014; (ii) submit a copy of the ROPS 14-15A, as approved by the Oversight Board, to the State Controller's Office and post the ROPS 14-15A on the Successor Agency's internet website; and (iii) revise the ROPS 14-15A, and make such changes and amendments as necessary, before official submittal of the ROPS 14-15A to the Department of Finance, in order to complete the ROPS 14-15A in the manner provided by the Department of Finance and to conform the ROPS 14-15A to the form or format as prescribed by the Department of Finance.

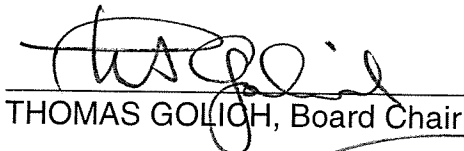
SECTION 6. The Executive Director, or designee, of the Successor Agency is hereby authorized and directed to take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution.

SECTION 7. 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.

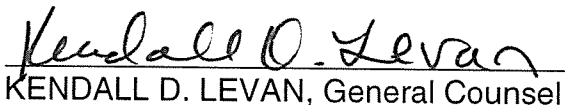
SECTION 8. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Sections 34177(m) and 34179(h) of the Dissolution Act.

PASSED AND ADOPTED this 13th day of February, 2014, at a special meeting of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency by the following vote:

AYES: Golich, Deaver, Estrella, Ott
NOES: None
ABSENT: Coughlin, Sheres, Armstrong
ABSTAIN: None


THOMAS GOLICH, Board Chair

APPROVED AS TO FORM:


KENDALL D. LEVAN, General Counsel

ATTEST:


ANGELA IVEY, Successor
Agency Secretary

Recognized Obligation Payment Schedule (ROPS 14-15A) - Summary

Filed for the July 1, 2014 through December 31, 2014 Period

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

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding Sources (B+C+D):		
A	Bond Proceeds Funding (ROPS Detail)	\$ -
B	Reserve Balance Funding (ROPS Detail)	-
C	Other Funding (ROPS Detail)	-
D		-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 702,125
F	Non-Administrative Costs (ROPS Detail)	577,125
G	Administrative Costs (ROPS Detail)	125,000
H	Current Period Enforceable Obligations (A+E):	\$ 702,125

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	702,125
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	-
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 702,125

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	702,125
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	702,125

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

 Name
 /s/
 Signature

 Title
 Date

Recognized Obligation Payment Schedule (ROPS) 14-15A - ROPS Detail
July 1, 2014 through December 31, 2014
 (Report Amounts in Whole Dollars)

Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	I	J	K	L	M	N	O	P				
																Funding Source			
																Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)		RPTTF	
Bond Proceeds	Reserve Balance	Other Funds	Admin																
1	2006 Tax Allocation Bond	Bonds Issued On or Before	6/1/2006	6/1/2036	Wells Fargo Bank	Bonds to fund Public Improvements	Solana Beach Redevelopment Project	\$ 12,742,823	N				\$ 577,425	\$ 125,000	\$ 70,195				
2	Trustee Services	Fees	6/1/2006	6/1/2036	Wells Fargo Bank	Trustee Services	Solana Beach Redevelopment Project	47,000	N				155,751		155,751				
3	Continuing Disclosure	Fees	6/1/2006	6/1/2036	Urban Futures	Contract for Professional Services-Continuing Disclosure	Solana Beach Redevelopment Project	61,000	N										
4	Arbitrage	Fees	6/1/2006	6/1/2036	Koppel & Gruber	Contract for Professional Services-Arbitrage	Solana Beach Redevelopment Project	66,300	N										
5	Legal Services (Admin)	Legal	7/1/2006	12/31/2013	McDougal, Love, et al	Contract for Professional Services-Legal	Solana Beach Redevelopment Project	33,600	Y										
6	Legal Services (Admin)	Legal	4/22/2008	6/1/2036	Godtard & Lipman	Contract for Professional Services-Legal	Solana Beach Redevelopment Project	33,600	Y										
7	Audit (Admin)	Admin Costs	7/1/2012	12/31/2013	Lance, Sol, et al	Contract for Professional Services-Audit	Solana Beach Redevelopment Project	7,000	Y										
9	Salary/Benefits (Admin)	Admin Costs	6/1/2006	12/31/2013	Various	Employee Salaries and Benefits	Solana Beach Redevelopment Project	137,800	Y										
10	Material, Supplies, & Services (Admin)	Admin Costs	6/1/2006	12/31/2013	Various	Costs - material, supplies and services expenditure categories	Solana Beach Redevelopment Project	5,000	Y										
11	Administrative Charges (Admin)	Admin Costs	6/1/2006	12/31/2013	City of Solana Beach	Successor Agency share of City's self-insured liability*	Solana Beach Redevelopment Project	15,000	Y										
12	Claims Liability Charges (Admin)	Admin Costs	6/1/2006	12/31/2013	City of Solana Beach	Successor Agency share of City's self-insured liability*	Solana Beach Redevelopment Project	2,800	Y										
13	Workers Comp Charges (Admin)	Admin Costs	6/1/2006	12/31/2013	City of Solana Beach	Successor Agency share of City's workers comp liability*	Solana Beach Redevelopment Project	4,000	Y										
14	1st Loan from City to Successor Agency (approved by Oversight Board 04/12/12)	City/County Loans After 6/27/11	4/12/2012	6/1/2036	City of Solana Beach	Pursuant to H&S 34173(h), 34178(a) and 34180(h)	Solana Beach Redevelopment Project	278,215	N				278,215		278,215				
15	Oversight Board Legal Counsel	Legal	4/12/2012	12/31/2013	Kane, Balmer & Berkman	Pursuant to H&S 34171(g)(1)(F)	Solana Beach Redevelopment Project	40,000	Y										
16	2nd Loan from City to Successor Agency (approved by Oversight Board 08/23/12)	City/County Loans After 6/27/11	8/23/2012	6/1/2036	City of Solana Beach	Pursuant to H&S 34173(h), 34178(a), 34180(h), and 34180(b)	Solana Beach Redevelopment Project	115,665	N				115,665		115,665				
17	PERS Side Fund Charges (Admin)	Admin Costs	6/1/2006	12/31/2013	City of Solana Beach	Successor Agency share of City's PERS Side Fund liability*	Solana Beach Redevelopment Project	15,800	Y										
18	Interest on 1st Loan from City to Successor Agency	City/County Loans After 6/27/11	4/12/2012	6/1/2036	City of Solana Beach	Pursuant to H&S 34173(h), 34178(a), 34180(h), and 34180(b) and 1st loan agreement	Solana Beach Redevelopment Project	1,843	N					1,843	1,843				
19	Interest on 2nd Loan from City to Successor Agency	City/County Loans After 6/27/11	8/23/2012	6/1/2036	City of Solana Beach	Pursuant to H&S 34173(h), 34178(a), 34180(h), and 34180(b) and 2nd loan agreement	Solana Beach Redevelopment Project	651	N					651	651				
20	Public Improvement Agreement between the City and the Successor Agency (approved by Oversight Board 09/28/13)	Bonds Issued On or Before 12/31/10	9/26/2013	9/26/2016	City of Solana Beach	Highway 101 Corridor Improvements and La Colonia Park and Recreation Center Improvements Projects	Solana Beach Redevelopment Project	638,308	Y										
21	Legal Services	Litigation	1/1/2014	6/1/2036	McDougal, Love, et al and Goldfarb and Lerman, LLP, and Solana Beach Successor Agency	Defend Third Party litigation against Successor Agency regarding case "The Affordable Housing Project of San Diego v Sandoval, et al. Case No. 34-2012-80001155-CU-WM-GDS"	Solana Beach Redevelopment Project	50,000	N				25,000		25,000				
22	Successor Agency Administrative Expenses	Admin Costs	1/1/2014	6/1/2036	City of Solana Beach	Successor Agency administrative obligations relating to maintaining payments on enforceable obligations and other activities as required by AB1X26	Solana Beach Redevelopment Project	5,750,000	N					125,000	125,000				

Recognized Obligation Payment Schedule (ROPS) 14-15A - Report of Cash Balances
(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	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 period balances and DDR balances retained	Prior ROPS RPTTF distributed as reserve for next bond payment		Other	Rent, Grants, Interest, Etc.	Non-Admin and Admin
Cash Balance Information by ROPS Period																
ROPS 13-14A Actuals (07/01/13 - 12/31/13)																
1	Beginning Available Cash Balance (Actual 07/01/13) Note that for the RPTTF, 1 + 2 should tie to columns J and O in the Report of Prior Period Adjustments (PPAs)	638,308				131,106							Other Beginning FB amount is remaining loan proceeds per cash flow loans from City to Successor Agency			
2	Revenue/Income (Actual 12/31/13) Note that the RPTTF amounts should tie to the ROPS 13-14A distribution from the County Auditor-Controller during June 2013												Other revenue is interest earned on Bond Reserve account held by trustee and applied to bond payment			
3	Expenditures for ROPS 13-14A Enforceable Obligations (Actual 12/31/13) Note that for the RPTTF, 3 + 4 should tie to columns L and Q in the Report of PPAs										12	310,615	Terms of the City-Agency cash flow loans provide that administrative costs will be repaid from RPTTF prior to repayment of the City-Agency loans from RPTTF.			
4	Retention of Available Cash Balance (Actual 12/31/13) Note that the RPTTF amount should only include the retention of reserves for debt service approved in ROPS 13-14A											198,382				
5	ROPS 13-14A RPTTF Prior Period Adjustment Note that the RPTTF amount should tie to column S in the Report of PPAs.															
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4); H = (1 + 2 - 3 - 4 - 5)	\$ 638,308	\$ -	\$ -	\$ -	\$ 131,118	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 112,233				
ROPS 13-14B Estimate (01/01/14 - 06/30/14)																
7	Beginning Available Cash Balance (Actual 01/01/14) (C, D, E, G = 4 + 6; F = H4 + F4 + F6; and H = 5 + 6)	\$ 638,308	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 112,233				
8	Revenue/Income (Estimate 06/30/14) Note that the RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014											256,232				
9	Expenditures for 13-14B Enforceable Obligations (Estimate 06/30/14)											368,465				
10	Retention of Available Cash Balance (Estimate 06/30/14) Note that the RPTTF amounts may include the retention of reserves for debt service approved in ROPS 13-14B															
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ -	\$ -	\$ -	\$ -	\$ 131,118	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				

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.

Recognized Obligation Payment Schedule 14-15A - Notes

July 1, 2014 through December 31, 2014

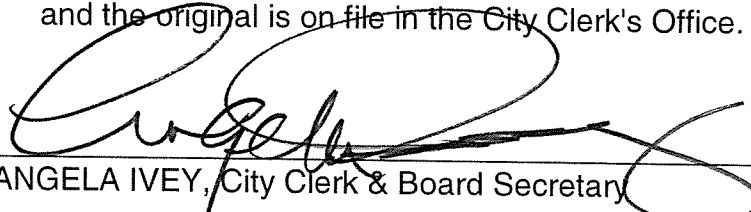
Item #	Notes/Comments
ROPS Detail	
22	In order to provide the "total outstanding debt or obligation" amount for administrative costs through the wind down of the former RDA, beginning January 1, 2014, the administrative cost allowance has been summarized for the ROPS and the detail can be found in the administrative budget approved by the Oversight Board.
5	December 2013 exp paid in Jan/Feb 2014 was accrued in December and reported in Prior Period Payments report for July 2013 to December 2013
6	December 2013 exp paid in Jan/Feb 2014 was accrued in December and reported in Prior Period Payments report for July 2013 to December 2013
7	December 2013 exp paid in Jan/Feb 2014 was accrued in December and reported in Prior Period Payments report for July 2013 to December 2013
9	December 2013 exp paid in Jan/Feb 2014 was accrued in December and reported in Prior Period Payments report for July 2013 to December 2013
15	December 2013 exp paid in Jan/Feb 2014 was accrued in December and reported in Prior Period Payments report for July 2013 to December 2013



CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS.
CITY OF SOLANA BEACH)

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, and Secretary of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution OBSA-021** approving the sixth Recognized Obligation Payment Schedule (ROPS 14-15A) for the period of July 1, 2014 through December 31, 2014, as duly passed and adopted at a Special Meeting of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency held on the 13th day of February 2014 and the original is on file in the City Clerk's Office.


ANGELA IVEY, City Clerk & Board Secretary

Date of this Certification: 2-13-2014