

**Agenda Of The Regular Meeting – Oversight Board to the Successor Agency to the
Redevelopment Agency of the City of National City
Council Chambers
Civic Center
1243 National City Boulevard
National City, California
Wednesday – February 18, 2015 – 3:00 P.M.**

Open To The Public

Please complete a request to speak form prior to the commencement of the meeting and submit it to the Oversight Board Secretary.

It is the intention of your National City Oversight Board to be receptive to your concerns in this community. Your participation in local government will assure a responsible and efficient City of National City. We invite you to bring to the attention of the Board Chairman any matter that you desire the National City Oversight Board to consider. We thank you for your presence and wish you to know that we appreciate your involvement.

ROLL CALL

Pledge of Allegiance to the Flag by Chairman Ron Morrison

Public Oral Communications (Three-Minute Time Limit)

NOTE: Pursuant to state law, items requiring National City Oversight Board action must be brought back on a subsequent National City Oversight Board Agenda unless they are of a demonstrated emergency or urgent nature.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**It Is Requested That All Cell Phones
And Pagers Be Turned Off During The Meetings**

OVERSIGHT BOARD ACTIONS

1. Approval of the Minutes of the Special Meeting of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency meeting held on December 17, 2014.
2. Resolution of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency Finding that the Repayment of the \$420,000 Balance Due on the Sewer Fund Loan established by Community Development Commission Resolution 2010-148 is an Enforceable Obligation and that the Loan Was for Legitimate Redevelopment Purposes. (Successor Agency) (Reso 2015-01)
3. Resolution of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency approving the Recognized Obligation Payment Schedule (ROPS) for the period July 1, 2015 through December 31, 2015 (ROPS 15-16A). (Successor Agency) (Reso 2015-02)

REPORTS

4. Update on Redevelopment Issues

ADJOURNMENT

Adjourn to the next regular meeting of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency scheduled on March 18, 2015 at 3:00 p.m. in Council Chambers, Civic Center.

**MINUTES OF THE SPECIAL MEETING OF THE OVERSIGHT BOARD TO THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF
THE CITY OF NATIONAL CITY**

DECEMBER 17, 2014

This Regular Meeting of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency was called to order at 3:05 pm by Chairman Ron Morrison.

ROLL CALL

Board Members Present: Fellows, Carson, Desrochers, Morrison, McCarthy, Perri, Hentschke

OTHER STAFF PRESENT: Brad Raulston, Executive Director

PLEDGE OF ALLEGIANCE by Chairman Ron Morrison

PRESENTATIONS: None

OVERSIGHT BOARD ACTIONS

- 1. SUBJECT:** Approval of the Minutes of the Regular Meeting of the Oversight Board to the Successor Agency to the Redevelopment Agency of the City of National City Meeting held on November 19, 2014.

RECOMMENDATION: Approve minutes as presented.

ACTION: Motion by Perri, seconded by McCarthy to approve the minutes of the Regular Meeting of the Oversight Board meeting held November 19, 2014. Motion carried by the following vote:

Ayes: Morrison, McCarthy, Perri, Carson
Abstain: Fellows, Desrochers, Hentschke

- 2. SUBJECT:** Resolution of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency authorizing the Chairman to execute the Agreement of Resignation, Appointment and Acceptance by and between the Successor Agency, Deutsche Bank National Trust Company ("Deutsche Bank"), US Bank National Association ("US Bank"), and Ambac Assurance Corporation accepting the resignation of Deutsche Bank as trustee for the 2004 Series A, 2005 Series A and B, and 2011 Tax Allocation Bonds, Series B, and appointing US Bank as trustee. (Finance)(Reso 2014-12)

RECOMMENDATION: Approve the Resolution (**Resolution 2014-12**).

ACTION: Motion by Hentschke, seconded by Perri to approve the Resolution. Motion carried by the unanimous vote.

REPORTS

3. Update on Redevelopment Issues
Brad Raulston: No Report. Happy Holidays

ADJOURNMENT

Motioned by Desrochers, seconded by Perri to adjourn the meeting.

Carried by unanimous vote.

The regular meeting was adjourned to the next Regular Meeting of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency to be held on January 21, 2015 at 3:00 p.m., Council Chambers – National City Civic Center, California.

The meeting adjourned at 3:11 p.m.

Clerk

Secretary

The foregoing minutes were approved at the Regular Meeting of January 21, 2015.

Oversight Board Chairman

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO
THE COMMUNITY DEVELOPMENT COMMISSION
AS THE NATIONAL CITY REDEVELOPMENT AGENCY
AGENDA STATEMENT**

MEETING DATE: February 18, 2015

AGENDA ITEM NO. 2

ITEM TITLE: Resolution of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency Finding that the Repayment of the \$420,000 Balance Due on the Sewer Fund Loan established by Community Development Commission Resolution 2010-148 is an Enforceable Obligation and that the Loan Was for Legitimate Redevelopment Purposes.

PREPARED BY: Brad Raulston, Executive Director

DEPARTMENT:

PHONE: (619) 336-4256

APPROVED BY: 

EXPLANATION:

Effective February 1, 2012, all redevelopment agencies in California were dissolved and "Successor Agencies" were established to wind down the affairs of the former redevelopment agency in accordance with the direction of an oversight board. One of the restrictions placed on the successor agencies involved the repayment of loans between the former redevelopment agency (RDA) and its sponsoring entity. Until a successor agency receives a Finding of Completion (FOC), repayment of these loans is not considered to be an enforceable obligation. Once the successor agency receives a FOC, the loan repayment may be deemed an enforceable obligation provided that the oversight board approves it to be so and finds that the loan was made for legitimate redevelopment purposes. National City's former RDA entered into one such agreement with the City in June 2010, which is known as the Sewer Fund Loan. The resolution, if approved, would make the required findings and enable the \$420,000 balance due to be placed in increments on future Recognized Obligation Payment Schedules (ROPS).

Please see attached staff report for further details regarding the repayment of the Sewer Fund loan.

FINANCIAL STATEMENT:

APPROVED: 

Finance

ACCOUNT NO. Pursuant to AB 1X 26/AB 1484

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

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

ORDINANCE: INTRODUCTION:

FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt the resolution

BOARD / COMMISSION RECOMMENDATION:

Successor Agency: Adopt the resolution

ATTACHMENTS:

1. Staff Report (with Exhibits A and B)
2. Proposed Oversight Board Resolution 2015-01

Oversight Board – February 18, 2015

Staff Report – Repayment of \$420,000 Sewer Fund Loan Balance

Effective February 1, 2012, all redevelopment agencies in California were dissolved and “Successor Agencies” were established to wind down the affairs of the former redevelopment agency in accordance with the direction of an oversight board. One of the restrictions placed on the successor agencies involved the repayment of loans between the former redevelopment agency (RDA) and its sponsoring entity. Until a successor agency receives a Finding of Completion (FOC), repayment of these loans is not considered to be an enforceable obligation. Health and Safety Code (HSC) section 34191.4 (b) (2) provides that once the successor agency receives a FOC, the loan repayment may be deemed an enforceable obligation provided that the oversight board approves it to be so and finds that the loan was made for legitimate redevelopment purposes. National City’s former RDA entered into one such agreement with the City in June 2010, which is known as the Sewer Fund Loan.

On June 22, 2010, the RDA approved resolution 2010-148 (see Exhibit A), finding that “pursuant to the Redevelopment Plan for the National City Redevelopment Project, the Community Development Commission of the City of National City (“CDC”) is authorized to expend tax increment funds for public improvements, including but not limited to street improvements” and authorizing the expenditure of \$771,250 in tax increment funds for the 2010-2013 street resurfacing program. The payment was to be made over a three fiscal year period in the form of a loan repayment to the City’s Sewer Fund from which \$1,500,000 was borrowed to enable the City to carry out a \$4.0 million program in a one year period. The final payment of \$420,000 (principal of \$411,216 and interest of \$8,784) was due from the Successor Agency to the Sewer Fund on June 30, 2013, but has been on hold pending the FOC. The Successor Agency received its FOC on September 9, 2014 and is therefore now eligible to complete this obligation. On February 17, 2015 the Successor Agency adopted a resolution requesting that the Oversight Board find that the subject loan agreement is an enforceable obligation and that the loan was made for legitimate redevelopment purposes. Adopting the subject resolution will fulfill that request and enable the repayment to begin.

Additional Information – Repayment Limitations

HSC section 34191.4 (b) (2) requires that the accumulated interest on the remaining principal balance of the loan be recalculated from origination at the interest rate earned by funds deposited into the Local Agency Investment Fund (LAIF). The original terms of the loan from the sewer fund provided for an annual interest rate of .75%. The most recent LAIF interest rate is .25% for the quarter ending December 31, 2014. Under the HSC section 34191.4 (b) (2) requirement, the total amount that would be due on July 1, 2015 would be \$416,382. HSC section 34191.4 (b) (2) (A), however, places limits on the loan repayment amount by fiscal year that is dependent upon the difference between the amounts of residual balance distributed in the base year (ROPS II and ROPS III) and in the “comparison” year (in this case ROPS 14-15A and 14-15B). The loan repayment amount can be no greater than 50% of the increase between the residual balance distributed in the base year and the residual balance distributed in the comparison year. In the base year the amount of residual balance distributed was \$1,179,866; for the comparison year the amount was \$1,476,509. The difference between the two amounts is \$296,643 and dividing it by 2 results in a maximum annual repayment amount of \$148,322,

and this amount is on the proposed Recognized Obligation Payment Schedule for the period July 1, 2015 through December 31, 2015 (ROPS 15-16A). The \$148,322 equates to a principal payment of \$146,482 and an interest payment of \$1,840. The remaining amount owed to the Sewer Fund would be paid over the next two fiscal years with the interest recalculated to reflect the extended repayment period. Exhibit A shows the calculation of the maximum annual payment amount using the loan repayment calculator provided by the State Department of Finance.

RESOLUTION NO. 2010 – 148

RESOLUTION OF THE COMMUNITY DEVELOPMENT
 COMMISSION OF THE CITY OF NATIONAL CITY
 AUTHORIZING THE CUMULATIVE EXPENDITURE OF \$771,250 OF
 TAX INCREMENT FUNDS FOR THE FISCAL YEARS 2010-2013
 STREET RESURFACING IMPROVEMENT PROGRAM

WHEREAS, the City of National City (the "City") has an on-going Street Resurfacing Program that includes repairs of curbs, gutters, sidewalks, driveways, pedestrian crossings, and provides traffic stripping and signage; and

WHEREAS, the City Engineering Division desires to implement a Street Resurfacing Project for fiscal year 2010-2011 because to defer the repair and resurfacing of streets would lead to higher costs in the future due to worsening pavement conditions and escalating construction costs; and

WHEREAS, the street resurfacing program for fiscal year 2010-2011 will cost approximately \$4,043,000 utilizing carry-over TransNet funds in the amount of \$1,000,000; Proposition 1B funds in the amount of \$908,000; and Proposition 42 Replacement funds in the amount of \$635,000; and

WHEREAS, the Engineering Division desires to borrow the remaining balance of \$1,500,000 through an interim loan from the Sewer Funds as follows:

- The principal amount of the loan will be \$1,500,000.
- Funds will be transferred from the Sewer Fund into Street Resurfacing Project Accounts 511-409-580-598-6035 and 307-409-580-598-6035 as necessary.
- The interest on the loan shall be at the rate of 0.75% per annum on the unpaid balance, totaling \$40,102.64.
- The loan will be repaid with interest, using the graduated payment schedule below:

June 30, 2011	\$11,250.00	Tax Increment Funds
June 30, 2012	\$340,000.00	Tax Increment Funds
June 30, 2013	\$420,000.00	Tax Increment Funds
June 30, 2014	\$350,000.00	TransNet (Prop A) Funds
June 30, 2015	\$418,852.64	TransNet (Prop A) Funds
TOTAL:	\$1,540,102.64	

WHEREAS, taking advantage of the debt financing from sewer funds gives the City the opportunity to resurface a large number of street sections in one year resulting in long-term-cost savings that will more than compensate for the interest and other costs paid on the debt; and

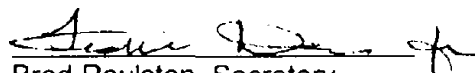
WHEREAS, pursuant to the Redevelopment Plan for the National City Redevelopment Project, the Community Development Commission of the City of National City ("CDC") is authorized to expend tax increment funds for public improvements, including but not limited to street improvements.

NOW, THEREFORE, BE IT RESOLVED that the Community Development Commission of the City of National City hereby authorizes the expenditure of \$771,250 in tax increment funds for the City's Fiscal Year 2010-2011 Street Resurfacing Improvement Program, said funds to be utilized to repay a portion of a \$1,500,000 loan to the City's Sewer Enterprise Fund, according to the graduated payment schedule set forth in the attached Exhibit "A".


PASSED and ADOPTED this 22nd day of June, 2010.


Ron Morrison, Chairman

ATTEST:


Brad Raulston, Secretary

APPROVED AS TO FORM:


George H. Eiser, III
City Attorney

Loan Amortization Schedule Graduating Payment for \$1.5M

Enter values	
Loan amount	\$ 1,500,000.00
Annual interest rate	0.75 %
Loan period in years	5
Number of payments per year	1
Start date of loan	6/30/2010
Optional extra payments	\$ -

Loan summary	
Scheduled payment	\$ 306,783.62
Scheduled number of payments	5
Actual number of payments	5
Total early payments	\$ -
Total interest	\$ 40,102.64

Lender name: Sewer Service Fund

Pmt No.	Payment Date	Beginning Balance	Scheduled Payment	Total Payment	Principal	Interest	Ending Balance	Cumulative Interest
1	6/30/2011	\$ 1,500,000.00	\$ 11,250.00	\$ 11,250.00	-	\$ 11,250.00	\$1,500,000.00	\$ 11,250.00 TI
2	6/30/2012	1,500,000.00	340,000.00	340,000.00	328,750.00	11,250.00	1,171,250.00	22,500.00 TI
3	6/30/2013	1,171,250.00	420,000.00	420,000.00	411,215.63	8,784.38	760,034.38	31,284.38 TI
4	6/30/2014	760,034.38	350,000.00	350,000.00	344,299.74	5,700.26	415,734.63	36,984.63 Prop A
5	6/30/2015	415,734.63	418,852.64	418,852.64	415,734.63	3,118.01	0.00	40,102.64 Prop A

Passed and adopted by the Community Development Commission of the City of National City, California, on June 22, 2010, by the following vote, to-wit:

Ayes: Commissioners Morrison, Sotelo-Solis, Van Deventer, Zarate.

Nays: None.

Absent: None.

Abstain: None.

AUTHENTICATED BY: RON MORRISON
Chairman, Community Development Commission


Secretary, Community Development Commission

By: _____
Deputy

I HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of RESOLUTION NO. 2010-148 of the Community Development Commission of the City of National City, California, passed and adopted on June 22, 2010.

Secretary, Community Development Commission

By: _____
Deputy

Sponsoring Entity Loan Repayment Calculator

Base Year:	ROPS II July thru December 2012	ROPS III January thru June 2013	Total For Base Year
Total Residual Balance	0	1,179,866	1,179,866

Comparison Year:	ROPS 14-15A July thru December 2014	ROPS 14-15B January thru June 2015	Total For Comparison Year
Total Residual Balance	200,297	1,276,212	1,476,509

A Total Residual Balance for Comparison Year	1,476,509
B Total Residual Balance for Base Year	1,179,866
A-B Difference of Residual Balance	296,643
Divide Difference by two	÷2
Maximum Repayment Amount Authorized Per Fiscal Year	148,322

Note: This is a tool provided by Finance to assist successor agencies in determining the maximum repayment amount per authorized fiscal year. Placing this amount on the ROPS does not automatically guarantee approval of the repayment amount.

Input fields (amounts from County Auditor-Controller RPTTF Distribution Report)

Formula fields, no input required.

RESOLUTION NO. 2015 – 01

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE COMMUNITY DEVELOPMENT COMMISSION AS
THE NATIONAL CITY REDEVELOPMENT AGENCY FINDING THAT THE
REPAYMENT OF THE \$420,000 BALANCE DUE ON THE SEWER FUND LOAN
ESTABLISHED BY COMMUNITY DEVELOPMENT COMMISSION
RESOLUTION 2010-148 IS AN ENFORCEABLE OBLIGATION AND
THAT THE LOAN WAS FOR LEGITIMATE REDEVELOPMENT PURPOSES

WHEREAS, the City Council established the Redevelopment Agency of the City of National City (the "Redevelopment Agency") by Ordinance No. 1164, dated April 11, 1967; and

WHEREAS, the City Council established the Housing Authority of the City of National City (the "Housing Authority") by Ordinance No. 1484, dated October 14, 1975; and

WHEREAS, the City Council established the Community Development Commission of the City of National City (the "CDC") by Ordinance No. 1484, dated October 14, 1975, and vested the CDC with all of the powers, duties and responsibilities of both the Redevelopment Agency and the Housing Authority, among other matters, for the purpose of enabling the CDC to operate and govern the Redevelopment Agency and the Housing Authority under a single board and as a single operating entity. The Community Development Commission of the City of National City acting in its capacity as the Redevelopment Agency of the City of National City is referred to herein as the "CDC-RDA"; and

WHEREAS, all California redevelopment agencies, including the Redevelopment Agency and the CDC-RDA, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of winding down the business and fiscal affairs of the former redevelopment agencies; and

WHEREAS, pursuant to AB 26, the City Council of the City adopted Resolution No. 2012-15 on January 10, 2012, electing to be the Successor Agency to the CDC-RDA. The Successor Agency is a legal entity that exists separate and independent from the City. The Successor Agency formally named itself the "Successor Agency to the Community Development Commission as the National City Redevelopment Agency"; and

WHEREAS, on February 1, 2012, all assets, properties, contracts, leases, books and records, buildings and equipment of the Redevelopment Agency and the CDC-RDA were transferred by operation of law to the control of the Successor Agency and all authority, rights, powers, duties, and obligations previously vested in the Redevelopment Agency and the CDC-RDA were vested in the Successor Agency, for administration pursuant to Part 1.85 of AB 26; 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 is 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, under AB 26 as amended by AB 1484, each successor agency shall have an oversight board with fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property taxes and other revenues pursuant to Health and Safety Code Section 34188; and

WHEREAS, 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. The duties and responsibilities of the Oversight Board are primarily set forth in Health and Safety Code Sections 34179 through 34181 of AB 26 as amended by AB 1484; and

WHEREAS, pursuant to AB 26 as amended by AB 1484, loans between a dissolved redevelopment agency and its sponsoring entity are not eligible for repayment until the successor agency to the redevelopment agency in question *(i)* receives a Finding of Completion ("FOC") from the State of California Department of Finance ("DOF") and, *(ii)* pursuant to California Health and Safety Code section 34191.4(b)(2), the oversight board of the successor agency in question finds that the loan agreement in question, between the dissolved redevelopment agency and its sponsoring entity, is an enforceable obligation, and that the loan was for legitimate redevelopment purposes; and

WHEREAS, the Successor Agency secured a FOC from DOF on September 9, 2014; and

WHEREAS, on June 22, 2010 the CDC-RDA approved Resolution 2010-148, authorizing the use and expenditure of CDC-RDA tax increment funds in the amount of \$771,250 ("Increment Funds") toward the 2010 street resurfacing program of the City of National City ("City"); and

WHEREAS, the disbursement of the Increment Funds to the City was to take place over a three year period, and assist the City with its repayment of a \$1,500,000 loan from the City's Sewer Enterprise Fund ("Sewer Fund"), that loan from the Sewer Fund having enabled the City to carry out a \$4.0 million street resurfacing program in a one year period; and

WHEREAS, \$420,000 of Increment Funds remains to be paid by the CDC-RDA, now the Successor Agency, to the City under the terms of the loan agreement that provided for the CDC-RDA's expenditure of Increment Funds to the City's interest, for purposes of the City's repayment of funds borrowed from the Sewer Fund (the "Loan Agreement"); and

WHEREAS, pursuant to the Redevelopment Plan for the National City Redevelopment Project, the CDC-RDA was generally authorized to expend tax

increment funds for public improvements, including but not limited to street improvements; and

WHEREAS, the Successor Agency has determined that the Loan Agreement should be an enforceable obligation; and

WHEREAS, the Successor Agency requests that the Oversight Board determine that the Loan Agreement is an enforceable obligation and further that the Loan Agreement was made for legitimate redevelopment purposes; and

WHEREAS, AB 26 as amended by AB 1484 specifies controls and limitations upon any repayment of a loan between a dissolved redevelopment agency and its sponsoring entity, and will impact the terms of the Loan Agreement otherwise applicable to repayment by the Successor Agency to the City and Sewer Fund, such impact including but not being limited to the recalculation of interest due and the maximum amount that can be repaid in a year; and

WHEREAS, any loan repayment by the Successor Agency to the City and Sewer Fund will take place exclusively in the context of the process through which the Successor Agency and Oversight Board consider and approve recognized obligation payment schedules; and

WHEREAS, on February 18, 2015 in the course of taking action on an properly agendized item at a regular meeting, the Oversight Board considered whether the Loan Agreement is an enforceable obligation and was made for legitimate redevelopment purposes, and upon **(i)** consideration of all information and documentation presented by staff, **(ii)** all public comment and Oversight Board deliberation, if any, and **(iii)** the recommendation of the Successor Agency's staff, did independently adopt and approve this Resolution; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency, as follows:

- Section 1. The foregoing recitals are true and correct, and are a substantive part of this Resolution.
- Section 2. The Loan Agreement between the CDC-RDA (the former redevelopment agency) and the City, providing for a payment to the City, and ultimately for the City's repayment to the Sewer Fund, of Increment Funds, is an enforceable obligation and was made for legitimate redevelopment purposes.
- Section 3. The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB 26 or AB 1484 through administrative or judicial proceedings.
- Section 4. The Executive Director of the Successor Agency, or designee, is hereby authorized and directed to:
- (ii) 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; and
 - (i) take such other actions and execute such other documents as are necessary to effectuate the intent of AB 26 and AB 1484 in regard to the Successor Agency's repayment of \$420,000 to the City and ultimately to the Sewer Fund, under the Loan Agreement but subject to the controls and limitations imposed by AB 26 as amended by AB 1484. .
- Section 5. Oversight Board concurs with the Successor Agency's determination that approval of this Resolution does not represent a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.
- Section 6. The Oversight Board Secretary and/or Successor Agency Secretary shall certify to the adoption of this Resolution.
- Section 7. Pursuant to California Health and Safety Code Section 34179(h), the State of California Department of Finance may review Oversight Board action; therefore, this Resolution shall be effective on the date five (5) business days after its adoption, absent and pending any request for review by the State of California Department of Finance.

[Signature Page to Follow]

NOW, THEREFORE, BE IT RESOLVED that the foregoing resolution was duly and regularly adopted at a regular meeting of the Oversight Board for the Successor Agency to the Community Development Commission as the National City Redevelopment Agency held on the 18th day of February 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ron Morrison, Chairman

ATTEST:

Brad Raulston, Executive Director
Secretary to the Oversight Board

APPROVED AS TO FORM:

Oversight Board Counsel
Edward Z. Kotkin, Esq.
Law Offices of Edward Z. Kotkin

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO
THE COMMUNITY DEVELOPMENT COMMISSION
AS THE NATIONAL CITY REDEVELOPMENT AGENCY
AGENDA STATEMENT**

MEETING DATE: February 18, 2015

AGENDA ITEM NO. 3

ITEM TITLE: Resolution of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency Approving the Recognized Obligation Payment Schedule (ROPS) for the Period July 1, 2015 through December 31, 2015 (ROPS 15-16A)

PREPARED BY: Brad Raulston, Executive Director

DEPARTMENT:

PHONE: (619) 336-4256

APPROVED BY: 

EXPLANATION:

Effective February 1, 2012, all redevelopment agencies in California were dissolved and "Successor Agencies" were established to wind down the affairs of the former redevelopment agency in accordance with the direction of an oversight board. Health and Safety Code Section 34177 requires Successor Agencies to perform a number of functions in that regard, one of which is to prepare a Recognized Obligation Payment Schedule (ROPS) before each six-month fiscal period that details amounts required to be spent and the source of funds for those expenditures. Each ROPS must be submitted to the Oversight Board for approval after which it is forwarded for review and approval to the State Department of Finance, with copies to the County Auditor and Controller and State Controller's Office.

Before the Oversight Board today is the ROPS for the period July 1, 2015 through December 31, 2015, which is referred to as ROPS 15-16A. Upon the Oversight Board's approval, it will be submitted to the State Department of Finance and other agencies as noted above. ROPS 15-16A is due to the State Department of Finance by March 3, 2015. Please see attached staff report for further details regarding the ROPS.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO. Pursuant to AB 1X 26/AB 1484

APPROVED: _____ MIS

ENVIRONMENTAL REVIEW:

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

ORDINANCE: INTRODUCTION: FINAL ADOPTION:

STAFF RECOMMENDATION:

Adopt the resolution to approve the ROPS 15-16A and authorize staff to submit it to the State Department of Finance, the State Controller and the County of San Diego.

BOARD / COMMISSION RECOMMENDATION:

Successor Agency: Adopt the resolution to approve the ROPS 15-16A and authorize staff to submit it to the State Department of Finance, the State Controller and the County of San Diego.

ATTACHMENTS:

1. Recognized Obligation Payment Schedule for the period July 1, 2015 through December 31, 2015 (ROPS 15-16A)
2. Staff Report
3. Proposed Oversight Board Resolution 2015-02

Recognized Obligation Payment Schedule (ROPS 15-16A) - Summary

Filed for the July 1, 2015 through December 31, 2015 Period

Name of Successor Agency: National City
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):		\$ 16,959,000
B	Bond Proceeds Funding (ROPS Detail)	14,909,000
C	Reserve Balance Funding (ROPS Detail)	2,000,000
D	Other Funding (ROPS Detail)	50,000
E Enforceable Obligations Funded with RPTTF Funding (F+G):		\$ 11,374,033
F	Non-Administrative Costs (ROPS Detail)	11,074,033
G	Administrative Costs (ROPS Detail)	300,000
H Current Period Enforceable Obligations (A+E):		\$ 28,333,033

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	11,374,033
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	<u>(2,303,473)</u>
K Adjusted Current Period RPTTF Requested Funding (I-J)		\$ 9,070,560

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	11,374,033
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N Adjusted Current Period RPTTF Requested Funding (L-M)		11,374,033

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
/s/ _____	
Signature	Date

Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail
July 1, 2015 through December 31, 2015
 (Report Amounts in Whole Dollars)

A Item #	B Project Name / Debt Obligation	C Obligation Type	D Contract/Agreement Execution Date	E Contract/Agreement Termination Date	F Payee	G Description/Project Scope	H Project Area	I Total Outstanding Debt or Obligation	J Retired	K, L, M, N, O Funding Source					P Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
								\$ 232,801,711		\$ 14,909,000	\$ 2,000,000	\$ 50,000	\$ 11,074,033	\$ 300,000	\$ 28,333,033
1	1999 Tax Allocation Bond	Bonds Issued On or Before 12/31/10	6/3/1999	6/1/2031	Bank of New York	Bonds to fund non-housing tax-exempt projects	Merged	4,873,194	N				241,713		\$ 241,713
2	2004 Tax Allocation Bond	Bonds Issued On or Before 12/31/10	6/30/2004	8/1/2032	US Bank	Bonds to fund non-housing tax-exempt projects	Merged	5,360,338	N				411,713		\$ 411,713
3	2005 Tax Allocation Bond	Bonds Issued On or Before 12/31/10	1/25/2005	8/1/2032	US Bank	Bonds to fund non-housing tax-exempt projects	Merged	17,210,129	N		2,000,000		1,981,344		\$ 3,981,344
4	2011 Tax Allocation Bond	Bonds Issued After 12/31/10	3/3/2011	8/1/2032	US Bank	Bonds to fund WI-TOD and other non-housing tax-exempt projects	Merged	68,245,166	N				1,579,741		\$ 1,579,741
5	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	6/21/2011	12/31/2014	Paradise Creek Housing Partners	Pre-development loan	Merged	-	N						\$ -
6	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	6/21/2011	12/31/2014	Paradise Creek Housing Partners	Phase I Agency Loan/local support	Merged	-	N						\$ -
7	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	6/21/2011	12/31/2014	Paradise Creek Housing Partners	Phase I Agency Loan/local support	Merged	-	N						\$ -
8	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	6/21/2011	12/31/2015	Paradise Creek Housing Partners	Phase II	Merged	14,909,000	N	14,909,000					\$ 14,909,000
9	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City/Kimley-Horn & Associates	Public Works Relocation - Design / Engineering	Merged	-	N						\$ -
10	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City/Property Owner	Purchase/Lease Replacement Yard	Merged	-	N						\$ -
11	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City	Building/Relocation Costs	Merged	-	N						\$ -
12	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City/E2 ManageTech	Remediation Planning	Merged	-	N						\$ -
13	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City/DTSC	Environmental Oversight	Merged	-	N						\$ -
14	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City/Contractor	Environmental Clean-Up	Merged	-	N						\$ -
15	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City/Contractor	Site Demolition / Grading	Merged	-	N						\$ -
16	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City/Project Professionals Corporation	Construction Management & Inspections	Merged	-	N						\$ -
17	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City/Opper & Varco	Environmental Outside Counsel	Merged	-	N						\$ -
18	WI-TOD (DDA/Co-Op/Bond Docs/Other Grants)	OPA/DDA/Construction	2/15/2011	6/30/2020	City of National City	Project Management & Administration	Merged	-	N						\$ -
19	SR54 and National City Blvd Infrastructure Improvements	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Construction	Merged	2,500,000	N						\$ -
20	8th St Smart Growth Revitalization (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Harris & Associates	Design / Engineering	Merged	308,360	N						\$ -
22	8th St Smart Growth Revitalization (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Project Professionals Corporation	Phase II - Construction Management & Inspections	Merged	-	N						\$ -
23	8th St Smart Growth Revitalization (Co-Op/Bond Docs/Grants)	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Phase II - Construction	Merged	1,800,000	N						\$ -
24	8th St Smart Growth Revitalization (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/URS	Program Management	Merged	-	N						\$ -
25	8th St Smart Growth Revitalization (Co-Op/Bond Docs/Grants)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	300,000	N						\$ -
26	8th St Safety Enhancements (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/RBF Consultants	Design / Engineering	Merged	65,000	N						\$ -
27	8th St Safety Enhancements (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Bureau Veritas North America	Construction Management & Inspections	Merged	-	N						\$ -
28	8th St Safety Enhancements (Co-Op/Bond Docs/Grants)	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Construction	Merged	-	N						\$ -
29	8th St Safety Enhancements (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/URS	Program Management	Merged	-	N						\$ -

Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail
July 1, 2015 through December 31, 2015
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P		
										M							
										Nond-Redevelopment Property Tax Trust Fund (Non-RPTTF)						RPTTF	
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin		Six-Month Total	
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								
30	8th St Safety Enhancements (Co-Op/Bond Docs/Grants)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	50,000	N						\$		
31	Highland Ave Safety Enhancements (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Harris & Associates	Design / Engineering	Merged		N						\$		
32	Highland Ave Safety Enhancements (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Consultant	Construction Management & Inspections	Merged	300,000	N						\$		
33	Highland Ave Safety Enhancements (Co-Op/Bond Docs/Grants)	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Construction	Merged		N						\$		
34	Highland Ave Safety Enhancements (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/URS	Program Management	Merged		N						\$		
35	Highland Ave Safety Enhancements (Co-Op/Bond Docs/Grants)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	200,000	N						\$		
36	D Ave Community Corridor / Roundabout (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Kimley-Horn & Associates	Design / Engineering	Merged	36,000	N						\$		
37	D Ave Community Corridor / Roundabout (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Project Professionals Corporation	Construction Management & Inspections	Merged		N						\$		
38	D Ave Community Corridor / Roundabout (Co-Op/Bond Docs/Grants)	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Construction	Merged		N						\$		
39	D Ave Community Corridor / Roundabout (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/URS	Program Management	Merged		N						\$		
40	D Ave Community Corridor / Roundabout (Co-Op/Bond Docs/Grants)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	50,000	N						\$		
41	Coolidge Ave Community Corridor (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Kimley-Horn & Associates	Design / Engineering	Merged		N						\$		
42	Coolidge Ave Community Corridor (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Project Professionals Corporation	Construction Management & Inspections	Merged		N						\$		
43	Coolidge Ave Community Corridor (Co-Op/Bond Docs/Grants/Construction Agreement)	Improvement/Infrastructure	8/14/2012	8/1/2032	City of National City/Contractor	Construction	Merged		N						\$		
44	Coolidge Ave Community Corridor (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/URS	Program Management	Merged		N						\$		
45	Coolidge Ave Community Corridor (Co-Op/Bond Docs/Grants)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	100,000	N						\$		
47	4th St Community Corridor (Co-Op/Bond Docs/Grants)	Professional Services	3/3/2011	8/1/2032	City of National City/Harris & Associates	Construction Management & Inspections	Merged		N						\$		
48	4th St Community Corridor (Co-Op/Bond Docs/Grants)	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Construction	Merged		N						\$		
49	4th St Community Corridor (Co-Op/Bond Docs/Grants)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	100,000	N						\$		
51	Las Palmas Park Improvements (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/Kimley-Horn & Associates	Design / Engineering	Merged		N						\$		
52	Las Palmas Park Improvements (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/Project Professionals Corporation	Construction Management & Inspections	Merged		N						\$		
53	Las Palmas Park Improvements (Co-Op/Bond Docs)	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Construction	Merged		N						\$		
54	Las Palmas Park Improvements (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/URS	Program Management	Merged		N						\$		
55	Las Palmas Park Improvements (Co-Op/Bond Docs)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	500,000	N						\$		
57	YMCA Pledge Agreement/Challenge Grant - Las Palmas Park Improvements	Improvement/Infrastructure	8/14/2012	8/1/2032	South Bay YMCA	Pledge/Grant	Merged		N						\$		
58	Kimball Park Improvements (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/Kimley-Horn & Associates	Design / Engineering	Merged		N						\$		

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A	B	C	D	E	F	G	H	I	J	K					P	
										M						Six-Month Total
										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							
59	Kimball Park Improvements (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/Project Professionals Corporation	Construction Management & Inspections	Merged		N						\$	
60	Kimball Park Improvements (Co-Op/Bond Docs)	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Construction	Merged		N						\$	
61	Kimball Park Improvements (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/URS	Program Management	Merged		N						\$	
62	Kimball Park Improvements (Co-Op/Bond Docs)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	120,000	N						\$	
63	Aquatic Center (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/Sadie Rabines Architects	Architectural Services	Merged		N						\$	
64	Aquatic Center (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/Project Professionals Corp	Construction Management	Merged		N						\$	
65	Aquatic Center (Co-Op/Bond Docs)	Improvement/Infrastructure	3/3/2011	8/1/2032	City of National City/Contractor	Construction	Merged	3,250,000	N						\$	
66	Aquatic Center (Co-Op/Bond Docs)	Professional Services	3/3/2011	8/1/2032	City of National City/URS	Program Management	Merged		N						\$	
67	Aquatic Center (Co-Op/Bond Docs)	Project Management Costs	3/3/2011	8/1/2032	City of National City	Project Management & Administration	Merged	100,000	N						\$	
68	Granger Hall and Property (Co-Op)	OPA/DDA/Construction	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	1,200,000	N						\$	
69	Street Resurfacing (Co-op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	6,500,000	N						\$	
70	Concrete Improvements (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	1,400,000	N						\$	
71	Traffic Signal Timing (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	150,000	N						\$	
72	Plaza Blvd Widening (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	4,709,300	N						\$	
73	Traffic Monitoring (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	150,000	N						\$	
74	Drainage Improvements (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	2,200,000	N						\$	
75	Senior Village (Co-Op)	OPA/DDA/Construction	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	13,000,000	N						\$	
76	Pacific Steel (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	60,000	N						\$	
77	Kimball Way Creek Improvements (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	100,000	N						\$	
78	B-1 Site Development (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	200,000	N						\$	
79	Storefront Renovation Program (Co-Op)	OPA/DDA/Construction	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	250,000	N						\$	
80	Paradise Creek Enhancement (Co-Op)	Improvement/Infrastructure	2/15/2011	6/30/2016	City of National City	Design, Construction, Project Management, & Administration	Merged	2,300,000	N						\$	
81	RHNA, Housing Element, and other housing mandates	OPA/DDA/Construction	1/1/1992	6/30/2021	CDC-Housing Authority	State Mandates/Goals for Housing	Merged	71,192,024	N						\$	
85	Loan Agreement with JPFA	Bonds Issued On or Before 12/31/10	4/16/1991	10/1/2017	Bank of America	Loan for construction of police station	Merged		N						\$	
86	Loan from Sewer Fund	City/County Loans On or Before 6/27/11	6/22/2010	6/30/2012	Sewer Fund	Loan repayment pursuant to HSC section 34191.4 (b) for street resurfacing	Merged	420,000	N				148,322		\$ 148,322	
87	Personnel and Admin Costs	Admin Costs	7/1/2015	12/31/2015	City of National City	Personnel and other support services for SA	Merged	300,000	N					300,000	\$ 300,000	
94	Las Palmas Park improvements (Co-Op/Bond Docs/Purchase Order)	Improvement/Infrastructure	8/14/2012	8/1/2032	Contractor - ROMTEC	Construction	Merged		N						\$	

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										M						Six-Month Total
										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							
95	Kimball Park Improvements (Co-Op/Bond Docs/Purchase Order)	Improvement/Infrastructure	8/11/2012	8/1/2032	Contractor - RDMTEC	Construction	Merged		N						\$ -	
99	CYAC vs CDC - Amount on Appeal	Litigation	4/20/2011	6/30/2016	CYAC/Lit	Judgment for Legal Fees (Appealed)	Merged	2,016,250	N				2,016,250		\$ 2,016,250	
101	General Property Management	Property Maintenance	2/15/2011	5/16/2036	City of National City	Ongoing management of CDC assets	Merged	400,000	N				40,000		\$ 40,000	
102	Kimball House Maintenance Agreement	Property Maintenance	8/19/2008	8/19/2023	National City Historical Society & County of San Diego	Annual payment per lease agreement, possessory interest tax	Merged	450,000	N				5,000		\$ 5,000	
103	Trash Service for CDC properties	Property Maintenance	1/1/2015	6/30/2015	EDCO	Trash hauling all RDA owned properties	Merged	-	N						\$ -	
104	Landscape Services for CDC Properties	Property Maintenance	3/21/2011	6/30/2018	NBS	Landscape Services	Merged	5,000	N				5,000		\$ 5,000	
105	Power for Temporary Aquatic Center	Property Maintenance	7/1/2013	6/30/2016	Power Plus	Rental of temporary power poles	Merged	20,000	N				3,000		\$ 3,000	
106	Power for CDC properties	Property Maintenance	7/1/2015	6/30/2016	SDG&E	Electricity & gas for RDA properties	Merged	3,000	N				3,000		\$ 3,000	
107	Security Contract for Old Library	Property Maintenance	1/1/2014	6/30/2016	Stanley Sonitrol	Fire alarm monitoring	Merged	3,500	N				500		\$ 500	
108	Water Service for CDC properties	Property Maintenance	1/1/2015	6/30/2016	Sweetwater Authority	Water including irrigation RDA properties	Merged	4,000	N				4,000		\$ 4,000	
109	Security Fence for Palm Plaza	Property Dispositions	7/1/2013	6/30/2016	National Construction Rental	Temporary fencing of RDA site	Merged	4,000	N				1,000		\$ 1,000	
110	Environmental Monitoring for CDC Properties	Property Maintenance	7/1/2013	6/30/2016	County of San Diego	Environmental Oversight Remediation and Testing for Education Village, ACE, 2501 Cleveland, 835 Bay Marina Drive and other SA properties as necessary	Merged	30,000	N				6,000		\$ 6,000	
111	Environmental Monitoring for CDC Properties	Property Maintenance	7/1/2011	10/6/2017	GeoSyntec Consultants	Environmental Oversight Remediation and Testing for Education Village, ACE, 2501 Cleveland, 835 Bay Marina Drive and other SA properties as necessary	Merged	300,000	N				50,000		\$ 50,000	
123	Agency Admin Expenses	Property Dispositions	7/30/2010	6/30/2012	Keagy	Real Estate Appraisal Services	Merged	-	N						\$ -	
124	Agency Admin Expenses	Property Dispositions	7/30/2010	6/30/2012	PGP	Real Estate Appraisal Services	Merged	-	N						\$ -	
125	Agency Admin Expenses	Property Dispositions	7/30/2010	6/30/2012	Ken Carpenter	Real Estate Appraisal Services	Merged	-	N						\$ -	
128	Contract for Financial Analysis	Fees	7/1/2010	6/30/2016	Urban Futures	Financial and bond adviser/annual disclosure	Merged	25,000	N				10,000		\$ 10,000	
130	Contract for Environmental Services	Property Maintenance	7/1/2011	10/6/2017	GeoSyntec Consultants	PSI Environmental Investigation	Merged	-	N						\$ -	
144	Contract for Legal Services	Legal	2/1/2011	6/30/2016	Kane, Ballmer, & Berkman	Legal support for state actions on Redevelopment/Litigation support for protecting legal interests, e.g., Affordable Housing Coalition v. Sandoval, et al.	Merged	33,000	N				33,000		\$ 33,000	
146	Contract for Legal Services	Legal	10/3/2011	6/30/2017	Opper & Varco, LLP	Litigation for Education Village/Legal support re: environmental compliance with DTSC, DEH, etc. for SA properties or responsibilities	Merged	75,000	N				75,000		\$ 75,000	
147	Contract for Legal Services	Legal	1/22/2008	12/6/2017	Christensen & Spath, LLP	Litigation for ARE Holdings/Litigation for Morgan Square, Inc./Legal Services for Westside Infill Transit Oriented Development Housing Project	Merged	125,000	N				125,000		\$ 125,000	
148	Contract for Legal Services	Legal	11/9/2010	6/30/2016	Best Best & Krieger, LLP	Litigation CYAC	Merged	60,000	N				60,000		\$ 60,000	

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										M						Six-Month Total	
										Nondisaster							Other Funds
										Funding Source							
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	Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)		RPTTF					
										Bond Proceeds	Reserve Balance	Non-Admin	Admin				
150	Contract for Legal Services	Legal	11/21/2011	6/30/2016	Mazzarella Lorenzana	Minimize CYAC Liability-Indemnity Claim	Merged	150,000	N				75,000	\$ 75,000			
151	Contract for Professional Services	Professional Services	3/3/2011	8/1/2032	City of National City/Project Professionals Corporation	Design / Engineering	Merged	-	N					\$ -			
152	Contract for Professional Services	Professional Services	3/3/2011	8/1/2032	City of National City/Kimley-Horn & Associates	Design / Engineering	Merged	-	N					\$ -			
153	Contract for Professional Services	Professional Services	3/3/2011	8/1/2032	City of National City/Harris & Associates	Design / Engineering	Merged	-	N					\$ -			
154	Contract for Professional Services	Professional Services	3/3/2011	8/1/2032	City of National City/Bureau Veritas North America	Design / Engineering	Merged	-	N					\$ -			
155	Contract for Professional Services	Professional Services	3/3/2011	8/1/2032	City of National City/D-MAX Engineering	Engineering / Stormwater Compliance	Merged	-	N					\$ -			
156	Contract for Professional Services	Professional Services	3/3/2011	8/1/2032	City of National City/Southern California Soils & Materials Testing	Soils & Materials Testing	Merged	-	N					\$ -			
157	Contract for Professional Services	Professional Services	3/3/2011	8/1/2032	City of National City/Ninyo & Moore	Soils & Materials Testing	Merged	-	N					\$ -			
161	Bonds	Fees	7/1/2015	6/30/2016	Deutsche Bank/US Bank	Fiscal Agent Fees	Merged	150,000	N				5,000	\$ 5,000			
162	Bonds	Fees	7/1/2015	6/30/2016	Bank of New York	Fiscal Agent Fees	Merged	150,000	N				5,000	\$ 5,000			
164	Loan from Sewer Fund (see line 86)	City/County Loans On or Before 6/27/11	6/22/2010	6/30/2013	City of National City - Sewer Enterprise Fund	Loan for street resurfacing	Merged		N					\$ -			
165	Coolidge Ave (see line 43)	Improvement/Infrastructure	8/14/2012	8/1/2032	see line 43	Construction (see line 43)	Merged		N					\$ -			
167	Contract for Legal Services	Legal	12/15/2012	6/30/2016	Meyers Nave Hoffman Riback Silver & Wilson	Protect assets and obligations of Successor Agency	Merged	50,000	N				50,000	\$ 50,000			
169	Development of Long Range Property Management Plan	Property Dispositions	2/1/2014	6/30/2015	San Diego State University	Assist with preparation of Long Range Property Management Plan	Merged	-	Y					\$ -			
170	Housing Entity Administrative Cost Allowance	Housing Entity Admin Cost	7/1/2014	7/1/2018	National City Community Development Commission - Housing Authority	Administrative cost allowance for Housing Authority per AR 471			N					\$ -			
171	Reserve for Aug 2015 Bond Payments	Reserves	1/1/2015	6/30/2015	Successor Agency	Reserve needed to make principal and interest payments due in Aug 2015	Merged	-	N					\$ -			
172	Property Appraisals	Property Dispositions	7/1/2015	12/31/2015	To be Determined	Property appraisals as needed pursuant to the Long Range Property Management Plan	Merged	50,000	N				50,000	\$ 50,000			
173	Call outstanding 2004 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	7/1/2015	12/31/2015	US Bank	Pay off the outstanding principal balance of the 2004 bonds	Merged	2,815,000	N		50,000		2,765,000	\$ 2,815,000			
174	Unforeseen SA remediation cost obligation - cost incurred to date	OPA/DDA/Construction	6/21/2011	6/30/2016	Paradise Creek Housing Partners	Remediate unanticipated soil conditions on the WI-TOD site	Merged	260,098	N				260,098	\$ 260,098			
175	Unforeseen SA remediation cost obligation - estimated additional costs	OPA/DDA/Construction	6/21/2011	6/30/2016	Paradise Creek Housing Partners	Remediate unanticipated soil conditions on the WI-TOD site	Merged	1,064,352	N				1,064,352	\$ 1,064,352			
176									N					\$ -			
177									N					\$ -			
178									N					\$ -			
179									N					\$ -			
180									N					\$ -			
181									N					\$ -			
182									N					\$ -			
183									N					\$ -			
184									N					\$ -			
185									N					\$ -			
186									N					\$ -			
187									N					\$ -			
188									N					\$ -			
189									N					\$ -			

Recognized Obligation Payment Schedule (ROPS 15-16A) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (i), 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 .									
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 period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin		
ROPS 14-15A Actuals (07/01/14 - 12/31/14)									
1	Beginning Available Cash Balance (Actual 07/01/14)		30,831,777		2,000,000	52,474	316,299		
2	Revenue/Income (Actual 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014					72,548	7,986,156		
3	Expenditures for ROPS 14-15A Enforceable Obligations (Actual 12/31/14) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q		14,957,000		2,000,000	27,418	5,682,683		
4	Retention of Available Cash Balance (Actual 12/31/14) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
5	ROPS 14-15A RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15A PPA in the Report of PPA, Column S	No entry required						2,303,473	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ 15,874,777	\$ -	\$ -	\$ 97,604	\$ 316,299		
ROPS 14-15B Estimate (01/01/15 - 06/30/15)									
7	Beginning Available Cash Balance (Actual 01/01/15) (C, D, E, G = 4 ÷ 6, F = H4 ÷ F4 + F6, and H = 5 + 6)	\$ -	\$ 15,874,777	\$ -	\$ -	\$ 97,604	\$ 2,619,772		
8	Revenue/Income (Estimate 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015					60,000	4,802,887		
9	Expenditures for ROPS 14-15B Enforceable Obligations (Estimate 06/30/15)					107,661	5,119,186		
10	Retention of Available Cash Balance (Estimate 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ -	\$ 15,874,777	\$ -	\$ -	\$ 49,943	\$ 2,303,473		

Recognized Obligation Payment Schedule (ROPS 15-16A) - Report of Prior Period Adjustments
 Reported for the ROPS 14-15A (July 1, 2014 through December 31, 2014) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)
 (Report Amounts in Whole Dollars)

ROPS 14-15A Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS 14-15A (July through December 2014) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 15-16A (July through December 2015) period will be offset by the SA's self-reported ROPS 14-15A prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the county auditor-controller (CAC) and the State Controller.

ROPS 14-15A CAC PPA: To be completed by the CAC upon submittal of the ROPS 15-16A by the SA to Finance and the CAC. Note that CACs will need to enter their own formulas at the line item level pursuant to the manner in which they calculate the PPA. Also note that the Admin amount do not need to be listed at the line item level and may be entered as a lump sum.

A	B	ROPS 14-15A														T	ROPS 14-15A CAC PPA						AB									
		Non-RPTTF Expenditures						RPTTF Expenditures									RPTTF Expenditures															
		Bond Proceeds		Reserve Balance		Other Funds		Non-Admin				Admin					Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 15-16A Requested RPTTF)		Non-Admin CAC			Admin CAC			Net CAC Non-Admin and Admin PPA (Amount Used to Offset ROPS 15-16A Requested RPTTF)							
Item #	Project Name / Debt Obligation	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Available RPTTF (ROPS 14-15A distributed + all other available as of 07/1/14)	Net Lesser of Authorized / Available	Actual	Difference (If K is less than L, the difference is zero)	Authorized	Actual	Available RPTTF (ROPS 14-15A distributed + all other available as of 07/1/14)	Net Lesser of Authorized / Available	Actual	Difference (If total actual exceeds total authorized, the total difference is zero)	Net Difference (M+R)	SA Comments	Net Lesser of Authorized / Available	Actual	Difference	Net Lesser of Authorized / Available	Actual	Difference	Net Difference	CAC Comments			
170	Housing Entity Administrative Cost Allowance	\$ 14,057,000	\$ 14,057,000	\$ 2,000,000	\$ 2,000,000	\$ 80,000	\$ 27,418	\$ 10,063,623	\$ 7,830,749	\$ 7,830,749	\$ 5,627,278	\$ 2,303,473	\$ 155,407	\$ 155,407	\$ 155,407	\$ 155,407	\$ 2,303,473															

Oversight Board – February 18, 2015

Staff Report – ROPS 15-16A

The proposed Recognized Obligation Payment Schedule for the July 1, 2015 through December 31, 2015 (ROPS 15-16A) period for the National City Successor Agency includes required debt service payments of \$6.2 million on the Agency's tax allocation bonds, the court-ordered payment of \$2.0 million resulting from the Community Youth Athletic Center litigation, \$1.3 million to remediate unanticipated soil conditions on the WI-TOD housing development site, \$14.9 million for Phase II of the WI-TOD project, \$2.8 million for the early pay off of the outstanding principal balance of the 2004 tax allocation bonds, \$0.15 million to pay back a portion of the outstanding \$0.42 million sewer fund loan, and \$0.9 million for potential legal services and various other operational and administrative costs. By funding source, the ROPS proposes the use of \$14.9 million of bond proceeds, \$11.4 million of redevelopment property tax trust fund (RPTTF) revenues, \$2.0 million of reserve balance funds (RPTTF revenues authorized for ROPS 14-15B to be used for debt service payments in ROPS 15-16A) and \$0.05 million of other funds (primarily revenues from interest earnings and loan repayments).

WI-TOD Project

Phase I of the Westside Infill Transit Oriented Development (WI-TOD) housing project is under way. All amounts agreed to be paid to the developer for Phase I of the project have been paid and as a result, items 5, 6, and 7 on the ROPS show a zero outstanding balance. As work on the site has progressed, unanticipated soil conditions have surfaced that are required to be remediated and are not the responsibility of the developer under the Disposition and Development Agreement (DDA). Staff recommends seeking RPTTF revenues to fund the unanticipated site remediation work. Actual unforeseen remediation costs to date total \$260,098, and engineers have estimated that an additional \$1,064,352 will be required to complete the remediation work. This ROPS includes a request for \$1,324,450 of RPTTF revenues to meet these costs.

The timing and costs for Phase II of the WI-TOD project are under review by staff and the developer. ROPS 14-15B requested the use of \$5.0 million in bond proceeds and \$2.0 million in RPTTF revenues for Phase II, but the State Department of Finance (DOF) reclassified the RPTTF funding to bond proceeds, meaning that the Successor Agency is authorized to spend up to \$7.0 million in bond proceeds on the project during the current period. It's not anticipated, however, that all the necessary steps will be completed during this period that would enable the spending of any of the bond proceeds. Staff recommends carrying over the request to use bond proceeds on Phase II to ROPS 15-16A and increasing the amount to \$14.9 million to match the amount of the Successor Agency's obligation under the DDA for Phase II.

Debt Service

The Successor Agency has four series of tax allocation bonds: 1999, 2004, 2005 (A & B), and 2011. Payments are made in two installments each year. In August, both principal and interest payments are made, while in February, only interest payments are due. This coming August, the final principal payment will be made on the 2005 Series A bonds, and consequently, on a fiscal year basis, total debt service payments will drop from \$7.8 million in FY 2016 (corresponding to ROPS 15-16A and 15-16B) to \$5.3 million in FY 2017 (corresponding to ROPS 16-17A and 16-17B).

Staff recommends pursuing a further reduction in annual debt service payments by requesting \$2.8 million in RPTTF revenues to pay off the principal balance on the 2004 tax allocation bonds, which are

eligible to be called per the indenture. Doing so would save approximately \$2.0 million in interest costs over the 17 years remaining in the current debt service schedule. While staff believes that this item should be approved on its merits, current redevelopment agency dissolution law is silent on the matter of calling bonds. It only specifically allows the refinancing of bond debt in order to reduce annual debt service payments as long as certain conditions are met. Placing this item on the ROPS will ensure that the matter is officially addressed. Enabling bonds to be called early would provide a much more significant annual savings (from avoidance of future interest payments on the debt) than can be achieved through refinancing the debt at a lower interest rate, and would simplify the administration of the Successor Agency. Staff has previewed this request with DOF in the form of suggesting the inclusion of enabling language in legislation they are planning to introduce that is meant to simplify and streamline the redevelopment agency dissolution process.

CYAC Judgment

In December, the judge in the case of the Community Youth Athletic Center vs. the City's Redevelopment Plan issued his final ruling, which was adverse to the Successor Agency, and awarded \$2,016,250 in attorney fees to the plaintiffs and interested parties. No further appeals are planned and the judgment amount is proposed to be included for payment in ROPS 15-16A.

Sewer Fund Loan Repayment

In June, 2010, the City of National City undertook a \$4.0 million street resurfacing program that was funded in part by a \$1.5 million loan from the Sewer Fund, an enterprise fund of the City. The former Redevelopment Agency of National City committed a total of \$771,250 of tax increment funds towards the street resurfacing project in the form of loan repayments to the Sewer Fund over a three year period. There is an outstanding balance of \$420,000 on this loan. Having received a Finding of Completion, the Successor Agency is now eligible to complete the repayment of this loan provided that the Oversight Board approves that the loan is an enforceable obligation and finds that the loan was for legitimate redevelopment purposes. There is a limit to the amount that can be repaid per fiscal year that is based on calculations related to past residual balance payments to affected taxing entities. In this case, the amount of the loan that could be repaid in Fiscal Year 2016 equals \$148,322.

Other Costs

Other costs totaling \$0.9 million include \$300,000 for the administrative cost allowance, and approximately \$400,000 for contracted legal services for existing or anticipated litigation as well as advisory services related to the WI-TOD project or general Successor Agency matters. Also in the "other" category is approximately \$200,000 for various property maintenance obligations, environmental monitoring services, financial services related to the tax allocation bonds, and appraisal services as needed with respect to the long range property management plan.

Projected RPTTF Funding

Staff projects that approximately \$10.6 million will be available to meet the \$11.4 million of obligations identified in the ROPS 15-16A for RPTTF funding, resulting in a funding gap of \$0.8 million. The available RPTTF amount is comprised of a projected \$8.3 million in new RPTTF revenues (after required pass-through and administrative cost payments), and approximately \$2.3 million that remains from ROPS 14-15A (the ROPS 14-15A RPTTF prior period adjustment). Should a funding gap still exist after the State Department of Finance completes its review of the ROPS and the actual amount of RPTTF revenues is distributed in early June, staff will return to Council and the Oversight Board to determine which items would have priority for ROPS 15-16A and those that would be carried over to future ROPS periods.

RESOLUTION NO. 2015 – 02

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE COMMUNITY DEVELOPMENT COMMISSION AS
THE NATIONAL CITY REDEVELOPMENT AGENCY ADOPTING
THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD
JULY 1, 2015 THROUGH DECEMBER 31, 2015 (ROPS 15-16A)

WHEREAS, the City Council established the Redevelopment Agency of the City of National City (the “Redevelopment Agency”) by Ordinance No. 1164, dated April 11, 1967; and

WHEREAS, the City Council established the Housing Authority of the City of National City (the “Housing Authority”) by Ordinance No. 1484, dated October 14, 1975; and

WHEREAS, the City Council established the Community Development Commission of the City of National City (the “CDC”) by Ordinance No. 1484, dated October 14, 1975, and vested the CDC with all of the powers, duties, and responsibilities of both the Redevelopment Agency and the Housing Authority, among other matters, for the purpose of enabling the CDC to operate and govern the Redevelopment Agency and the Housing Authority under a single board and as a single operating entity. The CDC acting in its capacity as the Redevelopment Agency of the City of National City is referred to herein as the “CDC-RDA”; and

WHEREAS, all California redevelopment agencies, including the Redevelopment Agency and the CDC-RDA, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of winding down the business and fiscal affairs of the former redevelopment agencies; and

WHEREAS, pursuant to AB 26, the City Council adopted Resolution No. 2012-15 on January 10, 2012, electing to be the Successor Agency to the CDC-RDA. The Successor Agency is a legal entity that exists separate and independent from the City. The Successor Agency formally named itself the “Successor Agency to the Community Development Commission as the National City Redevelopment Agency”; and

WHEREAS, on February 1, 2012, all assets, properties, contracts, leases, books and records, buildings and equipment of the Redevelopment Agency and the CDC-RDA were transferred by operation of law to the control of the Successor Agency and all authority, rights, powers, duties, and obligations previously vested in the Redevelopment Agency and the CDC-RDA were vested in the Successor Agency, for administration pursuant to Part 1.85 of AB 26; 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 is 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, the Successor Agency is required to undertake several actions pursuant to Part 1.85 of AB 26 as amended by AB 1484, including submitting additional information with the ROPS and in a changed format as set by the Department of Finance; and

WHEREAS, under AB 26 as amended by AB 1484, each successor agency shall have an oversight board with fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property taxes and other revenues pursuant to Health and Safety Code Section 34188; and

WHEREAS, 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. The duties and responsibilities of the Oversight Board are primarily set forth in Health and Safety Code Sections 34179 through 34181 of AB 26 as amended by AB 1484; and

WHEREAS, pursuant to AB 26, the ROPS shall be forward looking to the next six months, thus a recognized obligation payment schedule for the period of July 1, 2015 through December 31, 2015 (ROPS 15-16A) was prepared for consideration and approval by the Successor Agency; and

WHEREAS, according to Health and Safety Code Section 34177(l)(1) of AB 26, for each recognized obligation, the ROPS shall identify one or more of the following sources of payment: (i) Low and Moderate Income Housing Funds, (ii) bond proceeds, (iii) reserve balances, (iv) administrative cost allowance, (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 provision of Part 1.85 of AB 26, and (vi) and other revenue sources; and

WHEREAS, it is the intent of AB 26 as amended by AB 1484 that the ROPS serve as the designated reporting mechanism for disclosing the Successor Agency's bi-annual payment obligations by amount and source and, subsequent to the audit and approval of the ROPS as specified in AB 26, the County Auditor/Controller will be responsible for ensuring that the Successor Agency receives revenues sufficient to meet the requirements of the ROPS during each bi-annual period; and

WHEREAS, on February 17, 2015, the Successor Agency considered and approved ROPS 15-16A, subject to the contingencies and reservations set forth therein; and

WHEREAS, the Successor Agency's approved ROPS 15-16A, which is consistent with the requirements of the Health and Safety Code and other applicable law, is attached to and incorporated in this Resolution as **Exhibit "A"**; and

WHEREAS, the ROPS 15-16A have been submitted for review and approval to the Oversight Board for subsequent submittal to the County Auditor/Controller, State Department of Finance and State Controller; and

WHEREAS, on February 18, 2015 in the course of taking action on an properly agendized item at a regular meeting, the Oversight Board considered the approval of the ROPS 15-16A, and upon **(i)** further consideration of all information and documentation presented by staff, **(ii)** all public comment and Oversight Board deliberation, if any, and **(iii)** the recommendation of the Successor Agency's staff, did independently find and determine that the ROPS 15-16A should be approved; and

WHEREAS, the Department of Finance sometimes changes the format of reporting and the requirements, thus the Successor Agency staff may need to make changes to the ROPS 15-16A subsequent to the approval, to have it compliant with the changing Department of Finance requirements; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency, as follows:

- Section 1. The foregoing recitals are true and correct, and are a substantive part of this Resolution.
- Section 2. The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB 26 or AB 1484 through administrative or judicial proceedings.
- Section 3. The Successor Agency’s ROPS 15-16A, which is attached hereto as Exhibit “A”, is approved and adopted.
- Section 4. The Executive Director, or designee, is hereby authorized and directed to:
 - (i) 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; and
 - (ii) Take such other actions and execute such other documents as are necessary to effectuate the intent of AB 26 and AB 1484 in regard to ROPS 15-16A, including modifying and/or amending the ROPS 15-16A administratively to reflect the most up to date prior period actual cost or cash data, or conform to the direction, guidance, and/or requirements related to ROPS 15-16A by of the Department of Finance.
- Section 5. The Oversight Board confirms the Successor Agency’s determination (to the extent that it is required to do so) that neither the ROPS 15-16A nor this Resolution is a “project” for purposes of CEQA, as that term is

defined by Guidelines section 15378, because the ROPS 15-16A approved by this Resolution represents 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. The Oversight Board Secretary and/or Successor Agency Secretary shall certify to the adoption of this Resolution, and transmit notice of this Resolution, including ROPS 15-16A as approved, to the State of California Department of Finance and to the San Diego County auditor-controller by electronic means, and ROPS 15-16A shall be subject to review pursuant to California Health & Safety Code Section 34177(m).
- Section 7. Pursuant to California Health and Safety Code Section 34179(h), the State of California Department of Finance may review Oversight Board action; therefore, this Resolution shall be effective on the date five (5) business days after its adoption, absent and pending any request for review by the State of California Department of Finance.

NOW, THEREFORE, BE IT RESOLVED that the foregoing resolution was duly and regularly adopted at a regular meeting of the Oversight Board for the Successor Agency to the Community Development Commission as the National City Redevelopment Agency held on the 18th day of February 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ron Morrison, Chairman

ATTEST:

Brad Raulston, Executive Director
Secretary to the Oversight Board

APPROVED AS TO FORM:

Oversight Board Counsel
Edward Z. Kotkin, Esq.
Law Offices of Edward Z. Kotkin