

**Agenda Of The Regular Meeting – Oversight Board for 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 19, 2014 – 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 18, 2013.
2. 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 for July 1 through December 31, 2014 (ROPS 14-15A). (Reso 2014-01)
3. Resolution of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency approving the Fourth Amendment to the Agreement for Legal Defense Services between the City, the Successor Agency to the Community Development Commission as the National City Redevelopment Agency, and Best Best & Kreiger, LLP, to increase the not to exceed amount by \$100,000 for a total amount of \$562,500. (Reso No. 2014-02)

**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 19, 2014 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 18, 2013**

This Special 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 3:02 pm by Chairman Ron Morrison.

**ROLL CALL**

Board Members Present: Fellows, Carson, Desrochers, Morrison, Hentschke, Perri  
Board Members Absent: Donaldson

**PLEDGE OF ALLEGIANCE** by Chairman Ron Morrison

**PRESENTATIONS:** None

**OVERSIGHT BOARD ACTIONS**

- 1. SUBJECT:** Approval of the Minutes of the Special Meeting of the Oversight Board to the Successor Agency to the Redevelopment Agency of the City of National City Meeting held on September 25, 2013.

**RECOMMENDATION:** Approve the minutes as presented.

**ACTION:** Motion by Perri, seconded by Carson to approve the minutes of the Special Meeting of the Oversight Board meeting held September 25, 2013. Motion carried by the following vote:  
Ayes: Fellows, Carson, Desrochers, Morrison, Perri, Hentschke  
Absent: Donaldson

- 2. SUBJECT:** Resolution of the Oversight Board to the Successor Agency to the Community Development Commission as the National City Redevelopment Agency approving the Successor Agency's proposed approval of an Assumption and Assignment Agreement for Legal Services related to the Agreement for Legal Services by and between the Successor Agency to the Community Development Commission as the National City Redevelopment Agency and Cummins & White, LLP, dated June 19, 2012 and Approved by Resolution 2012-10. (Reso No. 2013-10)

**RECOMMENDATION:** Approve the Resolution. **(Resolution 2013-10)**

**ACTION:** Motioned by Carson, seconded by Desrochers to approve the resolution. Motion carried by the following vote:  
Ayes: Fellows, Carson, Desrochers, Morrison, Perri, Hentschke  
Absent: Donaldson

Note for the record: Mr. Kotkin recused himself from participating in this item as he has a direct financial interest in the outcome.

3. **SUBJECT:** Resolution of the Oversight Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency approving the Second Amendment to the agreement for legal services between the Successor Agency, Community Development Commission – Housing Authority of the City of National City, and Kane Ballmer & Berkman pertaining to Redevelopment and Housing Authority Matters to increase the not to exceed amount by \$43,000 for a total amount of \$93,000. (Reso No. 2013-11)

**RECOMMENDATION:** Approve the Resolution. **(Resolution 2013-11)**

**ACTION:** Motioned by Carson, seconded by Hentschke to approve the resolution. Motion carried by the following vote:  
Ayes: Fellows, Carson, Desrochers, Morrison, Perri, Hentschke  
Absent: Donaldson

#### REPORTS

4. **SUBJECT:** Update on Redevelopment  
Update given by Brad Raulston, Executive Director regarding letter Asset Transfer Review Report, letter received from DOF regarding ROPS 13-14B, LMIHF demand letter and Property Management Plan status.

#### ADJOURNMENT

The 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 15, 2014 at 3:00 p.m., Council Chambers – National City Civic Center, California.

**RECOMMENDATION:** Adjourn the meeting.

**ACTION:** Motion by Desrochers, seconded by Carson to adjourn. Motion carried by the following vote:  
Ayes: Fellows, Carson, Desrochers, Morrison, Perri, Hentschke  
Absent: Donaldson

The meeting adjourned at 3:19 p.m.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Secretary

The foregoing minutes were approved at the Regular Meeting of February 19, 2014.

\_\_\_\_\_  
Oversight Board Chairman

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

**MEETING DATE:** February 19, 2014

**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 approving the Recognized Obligations Payment Schedule (ROPS) for the period July 1, 2014 through December 31, 2014 (ROPS 14-15A).

**PREPARED BY:** Brad Raulston, Executive Director

**DEPARTMENT:**

**PHONE:** 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.

Staff recommends board approval of this ROPS for submittal to the State Department of Finance and other agencies as noted above. ROPS 14-15A is due to the State Department of Finance by March 1, 2014.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ **Finance**

**ACCOUNT NO.** Pursuant to AB 1X 26.

**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 and submit for certification and submittal to the County and the State.

**BOARD / COMMISSION RECOMMENDATION:**

Not Applicable.

**ATTACHMENTS:**

1. Recognized Obligation Payment Schedule (for the period July 1, 2014 through December 31, 2014).
2. Proposed Resolution

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RESOLUTION NO. 2014-01

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY  
TO THE COMMUNITY DEVELOPMENT COMMISSION AS  
THE NATIONAL CITY REDEVELOPMENT AGENCY APPROVING  
THE SUCCESSOR AGENCY'S RECOGNIZED  
OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD  
JULY 1, 2014 THROUGH DECEMBER 31, 2014 (ROPS 14-15A)

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, pursuant to Assembly Bill No. X1 26 (2011-2012 1st Ex. Sess.) signed by the California Governor on June 28, 2011 ("AB 26"), as modified by the California Supreme Court on December 29, 2011 pursuant to its decision in *California Redevelopment Association v. Matosantos*, which amended, among other statutes, the California Community Redevelopment Law (Health & Safety Code §§ 33000 *et seq.*) (the "CRL"), 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, 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, though not exclusively, 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, 2014 through December 31, 2014 ("ROPS 14-15A") 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) other revenue sources; and

WHEREAS, the ROPS 14-15A shall thereafter be submitted for review and approval to the Oversight Board, and submitted to the County Auditor/Controller and Department of Finance; and

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

WHEREAS, notwithstanding the provisions of Health and Safety Code Section



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34177(a)(1), agreements between the City and the CDC have been included in the ROPS 14-15A because, among other things, the Successor Agency believes that they have been validated by operation of law prior to the Governor's signature of AB 26 on June 28, 2011; and

WHEREAS, -----ROPS 14-15A – to be forwarded to OB attorney once the draft Reso is received from the Successor Agency.

WHEREAS, the Successor Agency, approved a resolution on February 19, 2014 approving the ROPS 14-15A, subject to the contingencies and reservations set forth herein; and

WHEREAS, on February 19, 2014 in the course of taking action on a properly agendized item at a regular meeting, the Oversight Board considered the ROPS 14-15A as approved by the Successor Agency, 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 14-15A should be approved; and

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

WHEREAS, the Department of Finance periodically changes the format of reporting and the requirements, thus the Successor Agency staff may need to make changes to the ROPS 14-15A subsequent to the approval to have it compliant with the changing Department of Finance requirements; and

WHEREAS, ROPS 14-15A has been reviewed by the Successor Agency 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 Successor Agency has determined and the Oversight Board has also determined (to the extent it is required to do so) that ROPS 14-15A is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because the ROPS 14-15A is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines; and

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

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board as follows:

Section 1. The foregoing recitals are true and correct, and are incorporated herein as a substantive part of this Resolution.

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- Section 2. The adoption of this Resolution and the Oversight Board's approval of ROPS 14-15A are 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 14-15A, which is attached hereto as Exhibit "A", is approved except as specifically changed by the Oversight Board in approving this resolution.
- 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 14-15A, including modifying and/or amending the ROPS 14-15A administratively to conform to the direction, guidance, and/or requirements related to ROPS 14-15A by of the Department of Finance.
- Section 5. The Oversight Board confirms the Successor Agency's determination (to the extent it is required to do so) that this ROPS 14-15A is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because ROPS 14-15A and this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.
- Section 6. This Resolution shall take effect upon the date of its adoption and notice of this Resolution shall be transmitted to the Department of Finance by electronic means and shall be subject to review pursuant to Health & Safety Code Section 34177(m).

--- Signature Page to Follow ---

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**DRAFT**

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 19<sup>th</sup> day of February 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
Ron Morrison, Chairman

\_\_\_\_\_  
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

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

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

Name of Successor Agency: National City  
 Name of County: San Diego

<u>Current Period Requested Funding for Outstanding Debt or Obligation</u>		<u>Six-Month Total</u>
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding Sources (B+C+D):</b>		
<b>A</b>	Bond Proceeds Funding (ROPS Detail)	\$ 17,017,000
<b>B</b>	Reserve Balance Funding (ROPS Detail)	14,957,000
<b>C</b>	Other Funding (ROPS Detail)	2,000,000
<b>D</b>		60,000
<b>E</b>	<b>Enforceable Obligations Funded with RPTTF Funding (F+G):</b>	<b>\$ 10,868,886</b>
<b>F</b>	Non-Administrative Costs (ROPS Detail)	10,713,479
<b>G</b>	Administrative Costs (ROPS Detail)	155,407
<b>H</b>	<b>Current Period Enforceable Obligations (A+E):</b>	<b>\$ 27,885,886</b>

<b>Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
<b>I</b>	Enforceable Obligations funded with RPTTF (E):	10,868,886
<b>J</b>	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	<u>(2,232,874)</u>
<b>K</b>	<b>Adjusted Current Period RPTTF Requested Funding (I-J)</b>	<b>\$ 8,636,012</b>

<b>County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
<b>L</b>	Enforceable Obligations funded with RPTTF (E):	10,868,886
<b>M</b>	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
<b>N</b>	<b>Adjusted Current Period RPTTF Requested Funding (L-M)</b>	<b>10,868,886</b>

Certification of Oversight Board Chairman:  
 Pursuant to Section 34.177(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) 14-15A - ROPS Detail**  
**July 1, 2014 through December 31, 2014**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P				
										L						M	N	O	
										Funding Source									Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)									
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin					
								\$ 253,259,689		\$ 14,957,000	\$ 2,000,000	\$ 60,000	\$ 10,713,479	\$ 155,407	\$ -				
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	5,200,369	N				240,463		\$ 240,463				
2	2004 Tax Allocation Bond	Bonds Issued On or Before 12/31/10	6/30/2004	8/1/2032	Deutsche Bank	Bonds to fund non-housing tax-exempt projects	Merged	5,845,220	N				403,170		\$ 403,170				
3	2005 Tax Allocation Bond	Bonds Issued On or Before 12/31/10	1/25/2005	8/1/2032	Deutsche Bank	Bonds to fund non-housing tax-exempt projects	Merged	21,421,936	N		2,000,000		1,900,464		\$ 3,900,464				
4	2011 Tax Allocation Bond	Bonds Issued After 12/31/10	3/3/2011	8/1/2032	Deutsche Bank	Bonds to fund WI-TOD and other non-housing tax-exempt projects	Merged	71,101,047	N				1,591,141		\$ 1,591,141				
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	1,411,685	N				1,411,685		\$ 1,411,685				
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	7,237,825	N	4,979,425			2,258,400		\$ 7,237,825				
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	9,977,575	N	9,977,575					\$ 9,977,575				
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						\$ -				
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		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) 14-15A - ROPS Detail**  
**July 1, 2014 through December 31, 2014**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P				
										L						M	N	O	
										Funding Source									Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)									
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin					
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	240,000	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										

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

A	B	C	D	E	F	G	H	I	J	K					P
										L					
										M					
N					O		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	Funding Source			RPTTF	
							Bond Proceeds				Reserve Balance	Other Funds	Non-Admin	Admin	
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						\$ -
56	Line left blank by SA	Admin Costs	1/1/2014	6/30/2014	Line left blank	Line left blank	Line left blank	-	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						
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/Saidie 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		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						\$ -

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

A	B	C	D	E	F	G	H	I	J	K					P			
										L						M	N	O
										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		Six-Month Total			
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin				
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	1,280,000	N				320,000			\$ 320,000		
86	Loan from Sewer Fund	City/County Loans On or Before 6/27/11	6/22/2010	6/30/2013	Sewer Fund	Loan for street resurfacing	Merged	425,000	N									
87	Personnel and Admin Costs	Admin Costs	1/1/2014	6/30/2014	City of National City	Personnel and other support services for SA	Merged	211,491	N			60,000		155,407		\$ 215,407		
91	Carry over for unfunded obligations	RPTTF Shortfall	7/1/2012	6/30/2014	Successor Agency - LMIHF	Amount due to LMIHF to repay cash used to meet RPTTF debt service obligations in ROPS 2 that exceeded the RPTTF distribution, which has delayed payments to vendor pursuant to Items 5 and 6	Merged	1,863,157	N				1,863,157			\$ 1,863,157		
94	Las Palmas Park Improvements (Co-Op/Bond Docs/Purchase Order)	Improvement/Infrastructure	8/14/2012	8/1/2032	Contractor - ROMTEC	Construction	Merged		N									
95	Kimball Park Improvements (Co-Op/Bond Docs/Purchase Order)	Improvement/Infrastructure	8/14/2012	8/1/2032	Contractor - ROMTEC	Construction	Merged		N									
99	CYAC vs CDC - Amount on Appeal	Litigation	4/20/2011	6/30/2014	CYAC/Litig	Judgment for Legal Fees (Appealed)	Merged		N									
100	Legal Settlement	Litigation	6/18/2007	6/30/2015	Highland Park, LLC	Legal settlement, Purple Cow	Merged		N							\$ -		
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				14,538			\$ 14,538		
103	Trash Service for CDC properties	Property Maintenance	1/1/2014	6/30/2015	EDCO	Trash hauling all RDA owned properties	Merged	10,000	N				900			\$ 900		
104	Landscape Services for CDC Properties	Property Maintenance	3/21/2011	6/30/2015	NBS	Landscape Services	Merged	12,000	N				6,000			\$ 6,000		
105	Power for Temporary Aquatic Center	Property Maintenance	7/1/2013	6/30/2016	Power Plus	Rental of temporary power poles	Merged	25,000	N				3,000			\$ 3,000		
106	Power for CDC properties	Property Maintenance	1/1/2014	6/30/2015	SDG&E	Electricity & gas for RDA properties	Merged	30,000	N				3,000			\$ 3,000		
107	Security Contract for Old Library	Property Maintenance	1/1/2014	6/30/2015	Stanley Sonitrol	Fire alarm monitoring	Merged	4,000	N				400			\$ 400		
108	Water Service for CDC properties	Property Maintenance	1/1/2014	6/30/2015	Sweetwater Authority	Water including irrigation RDA properties	Merged	40,000	N				4,000			\$ 4,000		
109	Security Fence for Palm Plaza	Property Dispositions	7/1/2013	6/30/2015	National Construction Rental	Temporary fencing of RDA site	Merged	5,000	N				1,000			\$ 1,000		
110	Environmental Monitoring for CDC Properties	Property Maintenance	7/1/2013	6/30/2015	County of San Diego	Environmental Oversight Remediation and Testing for Education Village, ACE, 2501 Cleveland, 835 Bay Marina Drive	Merged	30,000	N				6,000			\$ 6,000		
111	Environmental Monitoring for CDC Properties	Property Maintenance	7/1/2011	6/30/2015	GeoSyntec Consultants	Environmental Oversight Remediation and Testing for Education Village, ACE, 2501 Cleveland, 835 Bay Marina Drive	Merged	76,700	N				33,000			\$ 33,000		
123	Agency Admin Expenses	Property Dispositions	7/30/2010	8/30/2012	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	40,000	N				10,000			\$ 10,000		





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

Pursuant to Health and Safety Code section 34177(l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.

A	B	C	D	E	F	G	H	I	
		<b>Fund Sources</b>							
		<b>Bond Proceeds</b>		<b>Reserve Balance</b>		<b>Other</b>	<b>RPTTF</b>		
	<b>Cash Balance Information by ROPS Period</b>	<b>Bonds Issued on or before 12/31/10</b>	<b>Bonds Issued on or after 01/01/11</b>	<b>Prior ROPS period balances and DDR balances retained</b>	<b>Prior ROPS RPTTF distributed as reserve for next bond payment</b>	<b>Rent, Grants, Interest, Etc.</b>	<b>Non-Admin and Admin</b>	<b>Comments</b>	
<b>ROPS 13-14A Actuals (07/01/13 - 12/31/13)</b>									
1	<b>Beginning Available Cash Balance (Actual 07/01/13)</b> Note that for the RPTTF, 1 + 2 should tie to columns J and O in the Report of Prior Period Adjustments (PPAs)		30,763,339	506,298	2,000,000	38,037	-		
2	<b>Revenue/Income (Actual 12/31/13)</b> Note that the RPTTF amounts should tie to the ROPS 13-14A distribution from the County Auditor-Controller during June 2013		-			27,693	7,371,242		
3	<b>Expenditures for ROPS 13-14A Enforceable Obligations (Actual 12/31/13)</b> Note that for the RPTTF, 3 + 4 should tie to columns L and Q in the Report of PPAs		-	506,298	2,000,000	50,000	5,171,530		
4	<b>Retention of Available Cash Balance (Actual 12/31/13)</b> Note that the RPTTF amount should only include the retention of reserves for debt service approved in ROPS 13-14A		-						
5	<b>ROPS 13-14A RPTTF Prior Period Adjustment</b> Note that the RPTTF amount should tie to column S in the Report of PPAs.	No entry required						2,232,873	
6	<b>Ending Actual Available Cash Balance</b> C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ 30,763,339	\$ -	\$ -	\$ 15,730	\$ (33,161)		
<b>ROPS 13-14B Estimate (01/01/14 - 06/30/14)</b>									
7	<b>Beginning Available Cash Balance (Actual 01/01/14)</b> (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ -	\$ 30,763,339	\$ -	\$ -	\$ 15,730	\$ 2,199,712		
8	<b>Revenue/Income (Estimate 06/30/14)</b> Note that the RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014					60,000	5,622,211		
9	<b>Expenditures for 13-14B Enforceable Obligations (Estimate 06/30/14)</b>					60,000	3,622,211		
10	<b>Retention of Available Cash Balance (Estimate 06/30/14)</b> Note that the RPTTF amounts may include the retention of reserves for debt service approved in ROPS 13-14B						2,000,000		
11	<b>Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)</b>	\$ -	\$ 30,763,339	\$ -	\$ -	\$ 15,730	\$ 2,199,712		















**Recognized Obligation Payment Schedule 14-15A - Notes**

July 1, 2014 through December 31, 2014

Item #	Notes/Comments
5	The \$1,411,685 in the RPTTF column represents the maximum amount that may need to be carried forward from the ROPS 13-14B authorized amount of \$2,606,117. It is shown in the RPTTF column in order to neutralize the negative impact on cash of the Prior Period Adjustment related to ROPS 13-14A.
6	The \$2,258,400 in the RPTTF column represents the maximum amount that may need to be carried forward from the ROPS 13-14B authorized amount (\$1,457,158 in Reserve Balance and \$801,242 in RPTTF). It is shown in the RPTTF column in order to neutralize the negative impact on cash of the Prior Period Adjustment related to ROPS 13-14A. Bond proceeds of \$4,979,425 are being carried forward from ROPS 13-14B.
7	Bond Proceeds of \$9,977,575 are being carried forward from ROPS 13-14B.
91	This item was approved for ROPS 13-14B, but the actual distribution of RPTTF was able to satisfy only \$35,001 of the the total \$1,898,158 that was approved. It is being resubmitted in anticipation that sufficient RPTTF monies will be available for the ROPS 14-15A period to meet the remainder of the obligation.
148	Amount requested includes \$96,000 for services in the ROPS 14-15A period plus \$42,130 to cover payments required during ROPS 13-14A that exceeded the authorized amount. Legal services are especially difficult to estimate because their use depends upon circumstances that are not always predictable.
160	Amount requested includes \$50,000 for services in the ROPS 14-15A period plus \$33,161 to cover payments required during ROPS 13-14A that exceeded the authorized amount. Legal services are especially difficult to estimate because their use depends upon circumstances that are not always predictable.
161	Effective August 23, 2013 Deutsche Bank resigned as trustee under the 2004, 2005 and 2011 TAB indentures and US Bank has assumed those duties.
166	This project was expected to be completed by the end of ROPS 13-14A, but was delayed. It started in December 2013 and will be completed during ROPS 13-14B. No funding was requested for the project for ROPS 13-14B, so it is being resubmitted in ROPS 14-15A.

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

**MEETING DATE:** February 19, 2014

**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 Fifth Amendment to the Agreement for Legal Defense Services between the City, the Successor Agency to the Community Development Commission as the National City Redevelopment Agency, and Best Best & Krieger, LLP, to increase the not to exceed amount by \$100,000, for a total amount of \$562,500.

**PREPARED BY:** Brad Raulston

**DEPARTMENT:** Redevelopment

**PHONE:** Ext. 4256

**APPROVED BY:** 

**EXPLANATION:**

Please see attached staff report.

**FINANCIAL STATEMENT:**

**APPROVED:** \_\_\_\_\_ Finance

**ACCOUNT NO.**

**APPROVED:** \_\_\_\_\_ MIS

Funds are budgeted in Account 711-409-000-209-0000

**ENVIRONMENTAL REVIEW:**

N/A

**ORDINANCE:** INTRODUCTION:  FINAL ADOPTION:

**STAFF RECOMMENDATION:**

**BOARD / COMMISSION RECOMMENDATION:**

Adopt the Resolution

**ATTACHMENTS:**

1. Staff Report
2. Fifth Amendment to the Agreement with BB&K for legal services
3. Proposed Resolution

## STAFF REPORT

This matter is a result of the Community Youth Athletic Center ("CYAC") legal challenge to the 2007 Redevelopment Plan Amendment. In addition to the Plan Amendment challenge, the CYAC made other claims, including violations of the Public Records Act and due process. This lawsuit has been working its way through the legal system since the Fall of 2007. Judge Denton invalidated the 2007 Redevelopment Plan Amendment, found that the Public Records Act was not complied with when draft notes and consultant's documents were not provided, and found the CYAC was not provided due process because they did not have sufficient time to object to the plan amendment. The Court's award of attorney's fees totaling approximately two-million dollars (\$2,000,000) was appealed to the 4th District Court of Appeals. The case remains on-going as it has been remanded to the trial court for further proceedings after appeal regarding the attorneys' fees, and the CYAC has petitioned for review to the California Supreme Court. The remand to the trial court to determine the amount of attorneys' fees, if any, in light of the reversal of the due process claims, as well as other factors of consideration, will take time. The original judge has retired, thus a new judge will need to become familiar with this case, including the weeklong trial, so that an appropriate review can occur of the attorneys' fees claimed. Accordingly, this will require an extensive amount of legal work to examine CYAC's attorney bills in light of the Court of Appeals ruling. Thus, continued legal representation remains necessary.

Bruce Beach and Rebecca Andrews of Best Best & Krieger, LLP ("BB&K") have been our outside counsel in this case. Given the nature and length of the case, additional funds in the amount of \$53,500 are needed for the on-going appeal.

The City Council has previously approved the following:

1. Original Agreement for Legal Services in the amount of \$160,000 (November 12, 2010).
2. First Amendment to the Agreement in the amount of \$134,000 (October 18, 2011).
3. Second Amendment to the Agreement in the amount of \$70,000 (May 15, 2012).
4. Third Amendment to the Agreement in the amount of \$45,000 (October 30, 2012).
5. Fourth Amendment to the Agreement in the amount of 53,500 (September 17, 2013).

This Fifth Amendment to the Agreement in the amount of \$100,000 is necessary for the ongoing litigation, which will bring the total not-to-exceed amount to \$562,500. The Fifth Amendment will also require the approval of the Oversight Board and State Department of Finance prior to becoming effective.

**FIFTH AMENDMENT TO AGREEMENT  
BY AND BETWEEN  
THE CITY OF NATIONAL CITY,  
THE SUCCESSOR AGENCY  
TO THE COMMUNITY DEVELOPMENT COMMISSION  
AS THE NATIONAL CITY REDEVELOPMENT AGENCY,  
AND  
BEST BEST & KRIEGER, LLP**

This Fifth Amendment to Agreement is entered into this 18th day of February, 2014, by and between THE CITY OF NATIONAL CITY, a municipal corporation, (the "CITY"), THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AS THE NATIONAL CITY REDEVELOPMENT AGENCY, a public body, corporate and politic, (the "SUCCESSOR AGENCY"), and BEST BEST & KRIEGER, LLP, (the "FIRM").

**RECITALS**

- A. The CITY, the SUCCESSOR AGENCY and the FIRM (the "Parties") entered into an agreement on October 9, 2010, ("the Agreement") wherein the FIRM agreed to provide legal services in the defense of the case entitled *Community Youth Athletic Association v. All Persons Interested in the Matter of the Amendment to National City's Redevelopment Plan as Adopted by Ordinance 2007-2295*, Case No. 37-2007-00076404-CU-EI-CTL, in the amount of \$160,000, and subject to the terms of the Agreement.
- B. The Parties entered into the First Amendment to the Agreement on October 18, 2011, (the "First Amendment") to increase the not-to-exceed amount of the Agreement by \$134,000, for a total Agreement not-to-exceed amount of \$294,000.
- C. The Parties entered into a Second Amendment on May 15, 2012 to increase the not-to-exceed amount by \$70,000 for a total not-to-exceed amount of \$364,000.
- D. The Parties entered into a Third Amendment on October 30, 2012 to increase the not-to-exceed amount of the Agreement by \$45,000 for a total not-to-exceed amount of \$409,000.
- E. The Parties entered into a Fourth Amendment on September 3, 2013 to increase the not-to-exceed amount of the Agreement by \$53,500 for a total not-to-exceed amount of \$462,500.
- F. The Parties desire to amend the Agreement to increase the not-to-exceed amount of the Agreement by \$100,000 for a total not-to-exceed amount of \$562,500.
- G. The case remains on-going as it has been remanded to the trial court for further proceedings after appeal, and CYAC has petitioned for review to the California Supreme Court, thus continued legal representation remains necessary.
- H. On February 1, 2012, all California redevelopment agencies were dissolved, successor agencies were established as successor agencies to the former redevelopment agencies

pursuant to Health and Safety Code Section 34173, and successor agencies are tasked with paying, performing and enforcing the enforceable obligations of the former redevelopment agencies.

I. This Fourth Amendment will require the approval of the Oversight Board to the Successor Agency and the California Department of Finance prior to being effective.

NOW, THEREFORE, the Parties agree that the Agreement entered into on October 9, 2010, and amended on October 18, 2011, May 15, 2012, October 30, 2012, and September 3, 2013, shall be amended by amending Article 3 (Compensation), Section C of the Agreement by increasing the not-to-exceed amount by \$100,000 for a total not-to-exceed amount of \$562,500.

The parties further agree that with the foregoing exception, each and every term and provision of the Agreement dated October 9, 2010, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendment to the Agreement on the date and year first above written.

**SUCCESSOR AGENCY TO THE COMMUNITY  
DEVELOPMENT COMMISSION AS THE NATIONAL  
CITY REDEVELOPMENT AGENCY**

**BEST, BEST, & KRIEGER, LLP**

By: \_\_\_\_\_  
Bruce Beach, Esq.

By: \_\_\_\_\_  
Ron Morrison, Chairman

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Claudia Gacitua Silva  
Successor Agency Counsel

**CITY OF NATIONAL CITY**

By: \_\_\_\_\_  
Ron Morrison, Mayor

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Claudia Gacitua Silva  
City Attorney

RESOLUTION NO. 2014 – 02

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 A FOURTH AMENDMENT  
TO THE AGREEMENT FOR LEGAL SERVICES  
BY BEST BEST & KRIEGER, LLP, FOR THE CYAC LEGAL  
CHALLENGE DEFENSE TO INCREASE THE NOT TO EXCEED  
AMOUNT BY \$100,000 FOR A TOTAL AMOUNT OF \$462,500

WHEREAS, on November 23, 2010, the Community Development Commission of the City of National City ("CDC") adopted Resolution No. 2010-265 approving an Agreement between the City of National City, the CDC, and Best Best & Krieger, LLP ("BB&K"), to provide legal defense services regarding the Community Youth Athletic Center ("CYAC") litigation in the not to exceed amount of \$160,000; and

WHEREAS, on October 18, 2011, the CDC (now the Successor Agency) adopted Resolution No. 2011-233 approving the First Amendment to the Agreement that increased the not to exceed amount by \$134,000, bringing the total not to exceed amount to \$294,000; and

WHEREAS, on May 15, 2012, the Successor Agency adopted Resolution No. 2011-10 authorizing the Second Amendment to the Agreement in the amount of \$70,000 for the on-going appeal process, for a total not-to-exceed amount of \$364,000; and

WHEREAS, on October 30, 2012, the Successor Agency adopted Resolution No. 2012-25 authorizing the Third Amendment to the Agreement in the amount of \$45,000 for the on-going appeal process, for a total not-to-exceed amount of \$409,000; and

WHEREAS, on September 25, 2013, Successor Agency adopted Resolution 2013-07 authorizing the Fourth Amendment to the Agreement in the amount of \$53,500 for the on-going appeal process, for a total not-to-exceed amount to \$462,500; and

WHEREAS, a Fifth Amendment to the Agreement in the amount of \$100,000 is necessary for the final process of the appeal, which will bring the total not-to-exceed amount to \$562,500; and,

WHEREAS, the Fifth Amendment must also be approved by the Oversight Board to the Successor Agency prior to being effective; and

WHEREAS, on February 19, 2014, in the course of taking action on an properly agendized item at a special meeting, the Oversight Board considered the approval of the Fifth Amendment, 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 Fourth Amendment should be approved.

NOW, THEREFORE, BE IT RESOLVED that the Board of the Successor Agency to the Community Development Commission as the National City Redevelopment Agency hereby OB

authorizes the Chairman to execute the Fifth Amendment to the Agreement with Best

Best & Krieger, LLP ("BB&K"), to increase the not to exceed amount by \$100,000, which will bring the total not-to-exceed amount to \$562,500, to cover legal services for the appeal regarding the Community Youth Athletic Center ("CYAC") litigation. Said Fifth Amendment to the Agreement is on file in the office of the City Clerk.

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 19<sup>th</sup> day of February, 2014, 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, Esq