

RESOLUTION OBSA-014

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY FOR THE SOLANA BEACH REDEVELOPMENT AGENCY APPROVING THE FOURTH RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) FOR THE PERIOD JULY 1, 2013 TO DECEMBER 31, 2013 AND MAKING RELATED DETERMINATIONS AND TAKING RELATED ACTIONS IN CONNECTION THEREWITH.

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

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

WHEREAS, Assembly Bill No. X1 26 (2011-2012 1st Ex. Sess.) ("AB 26") was signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law and the California Health and Safety Code ("Health and Safety Code"), including adding Part 1.8 (commencing with Section 34161) ("Part 1.8") and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the Health and Safety Code; and

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

WHEREAS, on January 11, 2012, the City Council (the "City Council") of the City adopted Resolution 2012-011, pursuant to Part 1.85 of AB 26, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

WHEREAS, as part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26, Statutes 2012). Although the primary purpose of AB 1484 was to make technical and substantive amendments to AB 26 based on

issues that had 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 (AB 26 as amended by AB 1484 is hereinafter referred to as the "Dissolution Act"); and

WHEREAS, Health and Safety Code Section 34179 of the Dissolution Act establishes a seven (7) member local entity with respect to each successor agency and such entity is titled the "oversight board." The oversight board has been established for the Successor Agency (hereinafter referred to as the "Oversight Board") and all seven (7) members have been appointed to the Oversight Board pursuant to Health and Safety Code Section 34179 of the Dissolution Act. The duties and responsibilities of the Oversight Board are primarily set forth in Health and Safety Code Sections 34179 through 34181 of the Dissolution Act; and

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

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

WHEREAS, according to Health and Safety Code Section 34177(l)(1) of the Dissolution Act, the Successor Agency shall prepare a ROPS before each six-month fiscal period. For each recognized obligation, the ROPS shall identify one or more of the following sources of payment: (i) Low and Moderate Income Housing Funds, (ii) bond proceeds, (iii) reserve balances, (iv) administrative cost allowance, (v) the Redevelopment Property Tax Trust Fund but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation or by the provisions of Part 1.85 of the Dissolution Act, and (vi) other revenue sources, including rents, concessions, asset sale proceeds, interest earnings, and any other revenues derived from the former Redevelopment Agency as approved by the Oversight Board in accordance with Part 1.85 of the Dissolution Act; and

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

WHEREAS, pursuant to Health and Safety Code Section 34177 of the Dissolution Act, the Successor Agency, on February 13, 2013, received the ROPS covering the period from July 1, 2013 through December 31, 2013

("ROPS 13-14A"), in substantial form attached to this Resolution as Exhibit "A", and the Successor Agency authorized the submission of the ROPS 13-14A to the Oversight Board for its approval; and

WHEREAS, the ROPS 13-14A is now being submitted to the Oversight Board for review and approval in accordance with Health and Safety Code Sections 34177(l)(2)(B) and 34180(g) of the Dissolution Act; and

WHEREAS, the proposed ROPS 13-14A attached to this Resolution as Exhibit "A" is consistent with the requirements of the Health and Safety Code and other applicable law; and

WHEREAS, ROPS 13-14A contains the schedules for payments on enforceable obligations required of the Successor Agency for the applicable six-month period and sources of funds for payment as required pursuant to Health and Safety Code Section 34177(l) of the Dissolution Act; and

WHEREAS, pursuant to Health and Safety Code Section 34177(m) of the Dissolution Act, the Successor Agency is required to submit the ROPS 13-14A, after its approval by the Oversight Board, to the California Department of Finance ("Department of Finance") and the San Diego County Auditor-Controller ("County Auditor-Controller") no fewer than 90 days before the date of property tax distribution on June 1, 2013, which is no later than March 1, 2013; and

WHEREAS, pursuant to Health and Safety Code Section 34177(l)(2)(C) of the Dissolution Act, a copy of the Oversight Board-approved ROPS 13-14A shall be submitted to the County Auditor-Controller and both the State Controller's Office and the Department of Finance and shall be posted on the Successor Agency's internet website; and

WHEREAS, pursuant to Health and Safety Code Section 34177(m)(1) of the Dissolution Act, the Successor Agency shall submit a copy of the Oversight Board-approved ROPS 13-14A to the Department of Finance electronically and the Successor Agency shall have completed the ROPS 13-14A in the manner provided by the Department of Finance; and

WHEREAS, pursuant to the Dissolution Act, the Oversight Board met at a duly noticed public meeting on February 21, 2013 to consider approval of the ROPS 13-14A among other approvals; and

WHEREAS, after reviewing the ROPS 13-14A presented to and recommended for approval to the Oversight Board by the Successor Agency, and after reviewing any written and oral comments from the public relating thereto, the Oversight Board desires to approve the ROPS 13-14A; and

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

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

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

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

SECTION 2. The Oversight Board hereby approves the ROPS 13-14A in the form presented to the Oversight Board and attached hereto as Exhibit A which includes the approval of the agreements and obligations described in the ROPS 13-14A, and hereby determines that such agreements and obligations constitute "enforceable obligations" and "recognized obligations" for all purposes of the Dissolution Act in connection with the ROPS 13-14A.

SECTION 3. The Oversight Board has examined the items contained on the ROPS 13-14A and determines that each of them is necessary for the continued maintenance and preservation of property owned by the Successor Agency until disposition and liquidation, the continued administration of the enforceable obligations herein approved by the Oversight Board, or the expeditious wind-down of the affairs of the former Redevelopment Agency by the Successor Agency.

SECTION 4. The Oversight Board hereby authorizes the Successor Agency to enter into any agreements and amendments to agreements necessary to implement the agreements and obligations in the ROPS 13-14A and herein approved by the Oversight Board unless Oversight Board approval of such Successor Agency action is otherwise required pursuant to the Dissolution Act.

SECTION 5. The Oversight Board hereby authorizes and directs the Successor Agency to submit copies of the ROPS 13-14A adopted by this Resolution as required under the Dissolution Act, in the method required, and in a manner to avoid a late submission or accrual of any penalties. In this regard, the Executive Director, or designee, of the Successor Agency is hereby

authorized and directed to: (i) submit the ROPS 13-14A, as approved by the Oversight Board, to the Department of Finance (electronically) and the County Auditor-Controller no later than March 1, 2013; (ii) submit a copy of the ROPS 13-14A, as approved by the Oversight Board, to the State Controller's Office and post the ROPS 13-14A on the Successor Agency's internet website; and (iii) revise the ROPS 13-14A, and make such changes and amendments as necessary, before official submittal of the ROPS 13-14A to the Department of Finance, in order to complete the ROPS 13-14A in the manner provided by the Department of Finance and to conform the ROPS 13-14A to the form or format as prescribed by the Department of Finance.

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

SECTION 7. The Oversight Board determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity approved by this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines.

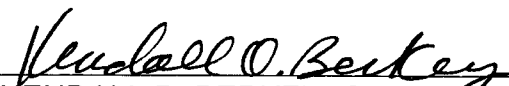
SECTION 8. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Sections 34177(m) and 34179(h) of the Dissolution Act.

PASSED AND ADOPTED this 21st day of February 2013 at a special meeting of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency by the following vote:

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


THOMAS GOLICH, Chair

APPROVED AS TO FORM:


KENDALL D. BERKEY, General Counsel

ATTEST:

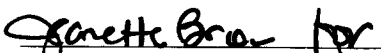

ANGELA IVEY, City Clerk

EXHIBIT A
SUCCESSOR AGENCY CONTACT INFORMATION

Successor Agency

ID: **294**
County: **San Diego**
Successor Agency: **Solana Beach**

Primary Contact

Honorific (Ms, Mr, Mrs)	
First Name	David
Last Name	Ott
Title	City Manager
Address	635 South Highway 101
City	Solana Beach
State	CA
Zip	92075
Phone Number	858-720-2430
Email Address	dott@cosb.org

Secondary Contact

Honorific (Ms, Mr, Mrs)	
First Name	Marie Marron
Last Name	Berkuti
Title	Finance Manager/Treasurer
Phone Number	858-720-2463
Email Address	mberkuti@cosb.org

EXHIBIT A

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: SOLANA BEACH (SAN DIEGO)

Outstanding Debt or Obligation	Total
Total Outstanding Debt or Obligation	\$6,063,062

Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$0
B Enforceable Obligations Funded with RPTTF	\$632,735
C Administrative Allowance Funded with RPTTF	\$125,000
D Total RPTTF Funded (B + C = D)	\$757,735
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$757,735
F Enter Total Six-Month Anticipated RPTTF Funding	
G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	(\$757,735)

Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))	Amount
H Enter Estimated Obligations Funded by RPTTF (lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)	\$88,018
I Enter Actual Obligations Paid with RPTTF	\$83,667
J Enter Actual Administrative Expenses Paid with RPTTF	\$129,567
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$0
L Adjustment to RPTTF (D - K = L)	\$757,735

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.

/s/

Name

Title

Signature

Date

EXHIBIT A

Oversight Board Approval Date: _____

**SOLANA BEACH (SMB) (REGO)
RECOGNIZED OBLIGATIONS FOR PAYEE SCHEDULE (ROPS 11-14A)
July 1, 2011 through December 31, 2013**

Item #	Project Name / Dist Obligation	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2013-14	Funding Source							
									Bond Proceeds	Reserve Balance	Admin Allowance	RPTFE	Other	Six Month Total		
1	2006 Tax Allocation Bond	6/1/2006	6/1/2036	Wells Fargo Bank	Bonds to fund public improvements	Solana Beach Redevelopment Project	5,366,720	310,794	0	0	5125,000	5632,735	0	0	235,043	5767,735
2	Trustee Services	6/1/2006	6/1/2036	Wells Fargo Bank	Contractor for Professional Services-Trustee Services	Solana Beach Redevelopment Project	1,900	1,900	0	0	0	0	0	0	0	0
3	Continuing Disclosure	TBD	TBD	Urban Futures	Contract for Professional Services-Continuing Disclosure	Solana Beach Redevelopment Project	2,150	2,150	0	0	0	0	0	0	0	0
4	Arbitrage	TBD	TBD	Moppel & Gruber	Contract for Professional Services-Arbitrage	Solana Beach Redevelopment Project	2,500	2,500	0	0	0	2,500	0	0	0	2,500
5	Legal Services (Admin)	7/1/2006	Ongoing	McDougal, Lowe, et al	Contract for Professional Services-Legal	Solana Beach Redevelopment Project	33,600	33,600	0	0	18,800	0	0	0	0	18,800
6	Legal Services (Admin)	4/12/2008	Ongoing	Goldfarb & Lipman	Contract for Professional Services-Legal	Solana Beach Redevelopment Project	33,600	33,600	0	0	16,800	0	0	0	0	16,800
7	Audit (Admin)	7/1/2012	6/30/2015	Lance, Sol, et al	Contract for Professional Services-Audit	Solana Beach Redevelopment Project	7,000	7,400	0	0	1,200	0	0	0	0	1,200
8	Audit (Admin)-Due Diligence Review	7/1/2012	6/30/2013	Lance, Sol, et al	Contract for Professional Services-Audit	Solana Beach Redevelopment Project	0	0	0	0	0	0	0	0	0	0
9	Salary/Benefits (Admin)	N/A	N/A	Various	Employee Salaries and Benefits	Solana Beach Redevelopment Project	137,800	137,800	0	0	68,900	0	0	0	0	68,900
10	Material, Supplies, & Services (Admin)	N/A	N/A	Various	Costs in material, supplies and services expenditure categories	Solana Beach Redevelopment Project	5,000	5,000	0	0	2,500	0	0	0	0	2,500
11	Administrative Charges (Admin)	N/A	N/A	City of Solana Beach	Successor Agency share of City's overhead cost*	Solana Beach Redevelopment Project	15,000	15,000	0	0	7,500	0	0	0	0	7,500
12	Class Liability Charges (Admin)	N/A	N/A	City of Solana Beach	Successor Agency share of City's self-insured liability*	Solana Beach Redevelopment Project	2,800	2,800	0	0	1,400	0	0	0	0	1,400
13	Workers Comp. Charges (Admin)	N/A	N/A	City of Solana Beach	Successor Agency share of City's workers comp liability*	Solana Beach Redevelopment Project	4,000	4,000	0	0	2,000	0	0	0	0	2,000
14	1st Loan from City to Successor Agency (approved by Oversight Board 04/12/12)	4/12/2012	when paid	City of Solana Beach	Pursuant to HRS 34173(h), 34178(a) and 34180(h)	Solana Beach Redevelopment Project	278,215	278,215	0	0	0	278,215	0	0	0	278,215
15	Oversight Board Legal Counsel	4/1/2012	Ongoing	Kane, Balmer & Bereman	Pursuant to HRS 34171(f)(1)-(f)	Solana Beach Redevelopment Project	40,000	20,000	0	0	0	0	0	0	0	0
16	1st Loan from City to Successor Agency (approved by Oversight Board 08/23/12)	8/23/2012	when paid	City of Solana Beach	Pursuant to HRS 34173(h), 34178(a), 34180(h), and 34180(b)	Solana Beach Redevelopment Project	115,665	115,665	0	0	0	115,665	0	0	0	115,665
17	PEBS Side Fund Charges (Admin)	N/A	N/A	City of Solana Beach	Successor Agency share of City's PEBS Side Fund liability*	Solana Beach Redevelopment Project	15,800	15,800	0	0	7,900	0	0	0	0	7,900
18	Interest on 1st Loan from City to Successor Agency	4/12/2012	Interest calculated from 04/12/2012-06/30/13	City of Solana Beach	Pursuant to HRS 34173(h), 34178(a), 34180(h), and 34180(b)	Solana Beach Redevelopment Project	1,008	1,008	0	0	0	1,008	0	0	0	1,008
19	Interest on 2nd Loan from City to Successor Agency	8/23/2012	Interest calculated from 08/23/2012-06/30/13	City of Solana Beach	Pursuant to HRS 34173(h), 34178(a), 34180(h), and 34180(b)	Solana Beach Redevelopment Project	304	304	0	0	0	304	0	0	0	304

EXHIBIT A

SOLANA BEACH (SAN DIEGO)
 Pursuant to Health and Safety Code section 34186 (a)
 PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS II)
 July 1, 2012 through December 31, 2012

Item #	Project Name / Dept. Obligation	Payee	Description of Project Scope	Project Area	Mile		Bonds Proceeds		Reserve Balance		Admin Allowance		RPTTF		Other
					Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	
1)	2008 Tax Allocation Bond	Wells Fargo Bank	Bonds to fund Public Improvements	Solana Beach Redevelopment Project	\$0	\$0	\$0	\$0	\$0	\$0	\$125,000	\$225,567	\$533,745	791,195	\$0
2)	Trustee Services	Wells Fargo Bank	Contract for Professional Services Trustee Services	Solana Beach Redevelopment Project											
3)	Continuing Disclosure	Urban Futures	Contract for Professional Services Continuing Disclosure	Solana Beach Redevelopment Project											
4)	Arbitrage	Koppal & Gruber	Contract for Professional Services Arbitrage	Solana Beach Redevelopment Project							25,000	5,624	2,200		
5)	Legal Services (Admin)	McChesney Lane, et al	Contract for Professional Services Legal	Solana Beach Redevelopment Project							20,000	24,676			
6)	Legal Services (Admin)	Godtfrid & Lyman	Contract for Professional Services Legal	Solana Beach Redevelopment Project							5,900	0			
7)	Audit (Admin)	Capenord, K Lipton	Contract for Professional Services Audit	Solana Beach Redevelopment Project							54,500	86,889			
8)	State Benefits (Admin)	Various	Employee Salaries and Benefits	Solana Beach Redevelopment Project							8,400	1,478			
9)	Material Supplies & Services (Admin)	Various	Costs, material, supplies and services expenditure categories	Solana Beach Redevelopment Project							7,500	7,500			
10)	Administrative Charges (Admin)	City of Solana Beach	Successor Agency share of City's overhead costs	Solana Beach Redevelopment Project							2,100	1,400			
11)	Claims Liability Charges (Admin)	City of Solana Beach	Successor Agency share of City's self-insured liability	Solana Beach Redevelopment Project							1,600	2,000			
12)	Workers Comp. Expenses (Admin)	City of Solana Beach	Successor Agency share of City's workers comp liability	Solana Beach Redevelopment Project											
13)	Cooperative Agreement/Retained	City of Solana Beach	Contract for employees costs	Solana Beach Redevelopment Project											
14)	Cooperative Agreement	City of Solana Beach	Contract for Public Improvements	Solana Beach Redevelopment Project											
15)	Cooperative Agreement	City of Solana Beach	Contract for Limited Housing	Solana Beach Redevelopment Project											
16)	Cooperative Agreement	City of Solana Beach	Pursuant to H&S 34179(a) and 34180(h)	Solana Beach Redevelopment Project									278,215	0	
17)	Overnight Board (Legal Counsel)	Legal Consultant	Pursuant to H&S 341710(a)(1)	Solana Beach Redevelopment Project									20,000	4,502	

EXHIBIT A

SOLANA BEACH (SAN DIEGO)
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)
July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
1	2006 Tax Allocation Bond	
2	Trustee Services	
3	Continuing Disclosure	
4	Arbitrage	
5	Legal Services (Admin)	
6	Legal Services (Admin)	
7	Audit (Admin)	
8	Audit (Admin) - Due Diligence Review	
9	Salary/Benefits (Admin)	
10	Material, Supplies, & Services (Admin)	
11	Administrative Charges (Admin)	
12	Claims Liability Charges (Admin)	
13	Workers Comp Charges (Admin)	
14	1st Loan from City to Successor Agency (approved by Oversight Board 04/12/12)	
15	Oversight Board Legal Counsel	
16	2nd Loan from City to Successor Agency (approved by Oversight Board 08/23/12)	
Prior Period Payments:		
5)	Legal Services (Admin)	December 2012 expense that was paid in January 2013 was accrued in December and reported in Prior Period Payments report for July 2012-Dec 2012
6)	Legal Services (Admin)	December 2012 expense that was paid in January 2013 was accrued in December and reported in Prior Period Payments report for July 2012-Dec 2012
8)	Salary/Benefits (Admin)	December 2012 expense that was paid in January 2013 was accrued in December and reported in Prior Period Payments report for July 2012-Dec 2012
9)	Material, Supplies, & Services (Admin)	December 2012 expense that was paid in January 2013 was accrued in December and reported in Prior Period Payments report for July 2012-Dec 2012
17)	Oversight Board Legal Counsel	December 2012 expense that was paid in January 2013 was accrued in December and reported in Prior Period Payments report for July 2012-Dec 2012



CERTIFICATION

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

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, and Secretary of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution OBSA-014** *approving the Fourth Recognized Obligation Payment Schedule (ROPS 13-14A) for the period July 1, 2013 to December 31, 2013 and making related determinations and taking related actions in connection therewith* as duly passed and adopted at a Special Meeting of the Oversight Board of the Successor Agency for the Solana Beach Redevelopment Agency held on the 21st day of February 2013 and the original is on file in the City Clerk's Office.



ANGELA IVEY, CITY CLERK & BOARD SECRETARY

Date of this Certification: 2-22-2013