

RESOLUTION NO. 2012- 05

RESOLUTION OF THE OVERSIGHT BOARD FOR THE FORMER STANISLAUS CERES REDEVELOPMENT COMMISSION APPROVING THE STANISLAUS CERES SUCCESSOR AGENCY RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS)

WHEREAS, the Stanislaus Ceres Redevelopment Commission (the "Agency") was a Redevelopment Agency organized and existing under the California Community Redevelopment Law (Health and Safety Code § 33000, et seq , hereinafter, the "CCRL") and pursuant to the CCRL was responsible for the administration of redevelopment activities within the City of Ceres, and,

WHEREAS, AB 1X 26 and AB IX 27 were signed by the Governor of California on June 29, 2011, making certain changes to the Redevelopment Law, including adding Part 1 8 (commencing with § 34161) ("Part 1 8") and Part 1 85 (commencing with § 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code; and,

WHEREAS, the California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al v Matosantos, et al.* (Case No 5194861)) alleging that AB 1X 26 and AB 1X 27 were unconstitutional, and,

WHEREAS, on December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case largely upholding AB 1X 26, invalidating AB 1X 27, and holding that AB 1X 26 maybe severed from AB 1X 27 and enforced independently, and,

WHEREAS, on a combined basis, the territory of the Original Project Area and the Added Area constitute the Redevelopment Project Area for Ceres Redevelopment Project Area No 1, and,

WHEREAS, as a result of the Supreme Court's decision, on February 1, 2012, all California redevelopment agencies were dissolved and successor agencies were designated as successor entities to the former redevelopment agencies, and,

WHEREAS, pursuant to Health and Safety Code § 34169, until successor agencies were authorized, redevelopment agencies continued to make all scheduled payments for enforceable obligations as defined in Health and Safety Code § 34167(a), and,

WHEREAS, pursuant to Health and Safety Code § 34167, redevelopment agencies shall not make payments unless they were listed in an adopted enforceable obligation payment schedule, other than payments required to meet obligations with respect to bonded indebtedness, and,

WHEREAS, on August 23, 2011, the Agency adopted Resolution No 2011-01 SCRC approving an original Enforceable Obligation Payment Schedule (the "EOPS"), and,

WHEREAS, on January 27, 2012, the Agency adopted Resolution No 2012-03 CRA approving an amended EOPS, and,

WHEREAS, prior to March 1, 2012 the Agency prepared a Recognized Obligation Payment Schedule, per the requirements of Health and Safety Code § 34177(1)(3), and,

WHEREAS, the Agency prepared a ROPS for the time period of 1 /1/12 through 6/30/12 and once approved will be posted to the City Internet Web site, and,

WHEREAS, the Agency's proposed ROPS, which is consistent with the requirements of Health and Safety Code § 34177(1)(3), is attached to this Resolution as Exhibit "A", 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 Agency's environmental guidelines, and,

WHEREAS, this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines § 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 § 15378(b)(5) of the Guidelines, and,

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

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board of the Successor Agency of the former Stanislaus Ceres Redevelopment Commission, as follows

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution
- Section 2** The Agency's ROPS, which is attached hereto as Exhibit "A", is approved and adopted
- Section 3** The Executive Director, or designee, is hereby authorized and directed to 1) post the ROPS on the City's website, 11) notify the County Auditor-Controller, the State Controller and the State Department of Finance concerning this Resolution, in accordance with the applicable provisions of the Health and Safety Code, and 1n) take such other actions and execute such other documents as are necessary to effectuate the intent of this Resolution, to implement the ROPS on behalf of the Agency, including making such payments
- Section 4.** The Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines § 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 § 15378(b)(5) of the Guidelines
- Section 5** This Resolution shall take effect upon the date of its adoption

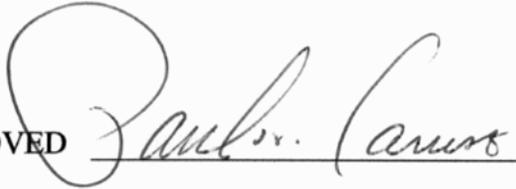
PASSED AND ADOPTED by the Oversight Board to the Successor Agency of the former Stanislaus Ceres Redevelopment Commission at a regular meeting thereof held on the 30th day of March 2012 by the following vote

AYES Boardmembers Anderson, Briggs, VanVleck, Chairperson Caruso

NOES None

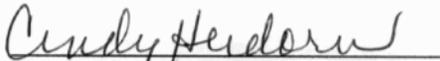
ABSENT Boardmembers Hallinan, Nyhoff, Withrow

APPROVED

A handwritten signature in cursive script that reads "Paul J. Caruso". The signature is written over a horizontal line.

Chairman of the Board

ATTEST

A handwritten signature in cursive script that reads "Cindy Heidorn".
Cindy Heidorn, CMC, City Clerk

RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34169 (h)

Project Name / Debt Obligation	Payee	Description	Payment Source	Total Due During Fiscal Year	Payments by month (2012)												Total
					Jan.	Feb.	Mar.	Apr.	May	Jun.							
1) 2000 Tax Allocation Bonds	US Bank NA	Fundinn for RDA Projects	Prop. Tax Tr Fund	108,770.00				56,446.25							56,446.25	112,892.50	
2) Employee Costs	City of Ceres	Salaries & Benefits per adopted budget	Prop. Tax Tr Fund	53,990.00	4,499.17	4,499.17	4,499.17	4,499.17	4,499.17	4,499.17	4,499.17	4,499.17	4,499.17	4,499.17	4,499.15	26,995.00	
3) Operating Expenses	City of Ceres	Reimbursement per adopted budget	Prop. Tax Tr Fund	9,715.00	809.58	809.58	809.58	809.58	809.58	809.58	809.58	809.58	809.58	809.58	809.58	4,857.48	
4) Legal Expenses	Best. Best & Kreder	RDA Legal Services	Prop. Tax Tr Fund	15,000.00	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00	7,500.00	
5) Annual Audit	CPA	Prepare Financial Statements	Prop. Tax Tr Fund	1,000.00											1,000.00	1,000.00	
6) Professional Services	Various	Contract Services	Prop. Tax Tr Fund	35,000.00	2,916.67	2,916.67	2,916.67	2,916.67	2,916.67	2,916.67	2,916.67	2,916.67	2,916.67	2,916.65	17,500.00	17,500.00	
7) Housing Programs	Housing Authority	Per Annuement	Prop. Tax Tr Fund	20,000.00	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	1,666.65	10,000.00	10,000.00	
8) Continuing Disclosure - Bonds	Urban Futures, Inc.	Per Annuement	Prop. Tax Tr Fund	2,150.00											2,150.00	2,150.00	
9) Successor Agency Admin.	City of Ceres	Administrative Allowance	Prop. Tax Tr Fund	250,000.00										250,000.00	250,000.00	250,000.00	
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Totals Other Obligations				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Grand total - All Pages				\$ 495,625.00	\$ 11,142.09	\$ 11,142.09	\$ 13,292.09	\$ 67,588.34	\$ 11,142.09	\$ 11,142.09	\$ 11,142.09	\$ 318,588.28	\$ 432,894.98	\$ 432,894.98	\$ 432,894.98	\$ 432,894.98	

EXHIBIT A