OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF UNION CITY

RESOLUTION NO. 02-2012

A RESOLUTION ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD OF JULY 1, 2012 - DECEMBER 30, 2012 FOR THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF UNION CITY

WHEREAS, on April 4, 2012, the Oversight Board for the Successor Agency to the Community Redevelopment Agency of the City of Union City (Oversight Board) convened its first meeting to elect a Chair and Vice-Chair, adopt Bylaws and Rules of Procedure, and review the 2nd Amended Initial Recognized Obligation Payment Schedule; and

WHEREAS, members of the Oversight Board have been appointed to the Board consistent with ABX1 26 as follows:

- Nadia Lockyer, Alameda County Supervisor, appointed by the Board of Supervisors; and
- Mark Green, Mayor, appointed by the Mayor and ratified by the City Council of the City of Union City; and
- Michelle Matthews, President of the Board of Trustees, New Haven Unified School District, appointed by Sheila Jordan, Alameda County Superintendent of Schools; and
- Carol Severin, President of the Board of Directors, East Bay Regional Park District, appointed by the East Bay Regional Park District Board of Directors; and
- Dr. Arnulfo Cedillo, Trustee, Chabot Las Positas Community College District, appointed by California Community College Chancellor Jack Scott; and
- Mark Evanoff, appointed by the Mayor and ratified by the City Council of the City of Union City, representing the largest employee group of the former redevelopment agency; and
- Jaime Jaramillo, Executive Director of Centro de Servicios, appointed by the Alameda County Board of Supervisors as the community member; and

WHEREAS, on April 9, 2012, the Oversight Board adopted the 2nd Amended Initial Recognized Obligation Payment Schedule (as amended) as the Recognized Obligation Payment Schedule (ROPS) for the period of July 1, 2012 – December 30, 2012.

WHEREAS, the Oversight Board finds that the items identified on the ROPS qualify per ABX1 26 as follows:

- Reference numbers 1 – 7 are the debt service on bonds issued in 2001, 2003, 2005, 2007, 2010, and 2011.
- Reference number 10 is executed contracts with the Alameda County Transportation Authority and other parties to construct the East-West Connector.

- Reference numbers 13 – 15 are executed contracts to design and construct the Pedestrian Promenade and playground currently under construction in the Station District.
- Reference numbers 16 – 18 are executed contracts to design and construct the Pedestrian Promenade, loop road, and street improvements currently under construction in the Station District.
- Reference numbers 19 – 23 are executed contracts to design and construct BART Phase 2. BART Phase 2 will create a new east side entrance to the BART Station with a free pedestrian pass-through. Pedestrians will be able to walk through the BART Station without entering a paid area. Residents and employees on the East side of the BART Station will have direct access to BART and a future passenger rail station.
- Reference numbers 24 – 26 are executed Owner Participation Agreements at Union Landing. Tax increment is used to pay the debt service on bonds issued to fund the construction of public infrastructure at Union Landing.
- Reference number 27 is a loan guarantee to the State of California for a senior assisted living facility.
- Reference number 28 and 29A are expenses associated with managing construction contracts in the Station District and meeting contractual housing and job production obligations in the Station District required under various grants and regional agency agreements.
- Reference number 29B is the administrative budget of the Successor Agency. ABX1 26 provides for a minimum budget of $250,000 a year.
- Reference number 39 is an obligation with ARC, a non-profit organization that employs disabled adults to perform blight removal services in Union City.
- Reference number 40 is Centro de Servicios, a non-profit organization that provides services to residents of the redevelopment project area to address blight.
- Reference number 41A is legal services for implementing the Station District obligations.
- Reference number 41B is legal services for the Successor Agency.
- Reference numbers 56 and 59 are legal services for the acquisition of right-of-way for the East-West Connector. Union City is under contract with the Alameda County Transportation Commission to acquire right-of-way for the East-West Connector.
- Reference number 66 is a contracted financial analysis for implementing Station District housing production requirements.
- Reference number 75 is a contractual obligation for shared maintenance and operational expenses of common space at the Alvarado Plaza shopping center for the Police Resource Center.
- Reference numbers 77, 98, 117, 120, 136, and 144 are completing construction obligations for Station District.
- Reference number 126 funds required administrative fees for bonds.
- Reference number 136 is required maintenance of 11th Street to be completed after completion of construction of the MidPen affordable housing, East Plaza, and Pedestrian Promenade.
- Reference number 140 funds required audits for the State Controller's Office.
- Reference number 143 is to complete projects in the blighted Horner Veasy Area located on the far west side of Union City.

- Reference number 144 funds the closeout construction costs for BART Phase 1 located on the west side of the BART Station.
- Reference numbers 146, 147, and 148 are required housing and job creation obligations for participation in ABAG and MTC funding programs and a federal Economic and Development Administration grant.
- Reference numbers 149 to 173 are obligations to complete construction of public facilities for transit oriented development in the Station District funded by various grants.
- Reference numbers 001 to 0028 are contractual pass-through agreements with other public agencies. Alameda County and the special districts overseen by the Board of Supervisors receive the bulk of the pass-through agreement. The Alameda County Auditor Control pays pass through agreements out of tax increment, before it transmits property tax payments to the Successor Agency.

WHEREAS, the City of Union City has contractual obligations to construct housing and provide jobs within the Station District area with the following agencies based upon grant and funding awards identified in the ROPS:

- Housing and Community Development Infill Infrastructure Grant and Transit Oriented Development Grant, State of California
- Metropolitan Transportation Commission (MTC) Transportation for Livable Communities (TLC) Grant
- Federal Transportation Administration (FTA) Grant
- Economic Development Administration (EDA) Grant (co-signed by ACFCD)
- Priority Development Area (PDA) Commitments
- Resolution 3434 by MTC

WHEREAS, upon adoption, staff to the Oversight Board shall forward the ROPS to the California Department of Finance, the State Controller, and the County Auditor Controller.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board hereby:

1. Directs staff to transmit the names of the Chair, the Vice-Chair and the Members of the Oversight Board to the State Department of Finance.

2. Approves the Recognized Obligation Payment Schedule for the period of July 1, 2012 – December 30, 2012, in the form attached hereto as Exhibit A, and directs staff to forward the ROPS to the California Department of Finance, the State Controller, and the County Auditor Controller as required by ABX1 26.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency to the Community Redevelopment Agency of the City of Union City at a regular meeting held on the 9th day of April 2012, by the following vote:

AYES:	Board Members Cedillo, Evanoff, Matthews, and Severin, Vice Chair Jaramillo, Chair Green
NOES:	None
ABSENT:	Board Member Lockyer
ABSTAIN:	None

APPROVED:

MARK GREEN
Chair

ATTEST:

RENEE ELLIOTT
Clerk of the Oversight Board

Certified as a True Copy

Clerk of the City of Union City, Calif.

By_____

Deputy City Clerk

Project Area(s)

City of Union City, as Successor Agency to the Community Redevelopment Agency of the City of Union City
All (there is only one Project Area comprised of the Original Area and the Added Area)

EXHIBIT A
Jul - Dec, 2012

RECOGNIZED OBLIGATION PAYMENT SCHEDULE as of April 9, 2012 for the period July 1, 2012 through December 31, 2012

* = *estimates are used when actual amounts are not known with certainty*

Ref.	Project Name / Debt Obligation	Payee	Initial Date	Description	Source of Repayment	Total Due Jul - Dec, 2012 *	Payments by month Jul, 2012 *	Aug, 2012 *	Sep, 2012 *	Oct, 2012 *	Nov, 2012 *	Dec, 2012 *
1	2001A TAB	Bank of New York (Trustee)	2001	Bonds issued to fund projects	Tax Increment	626,991				626,991		
2	2001B TAB	Bank of New York (Trustee)	2001	Bonds issued to fund projects	Tax Increment	299,959				299,959		
3	2003 TAB	Bank of New York (Trustee)	2003	Advance Refunding of 1993 TAB	Tax Increment	951,489				951,489		
4	2005 TAB	Bank of New York (Trustee)	2005	Bonds issued to fund projects	Tax Increment	728,975				728,975		
5	2007 TAB	Bank of New York (Trustee)	2007	Advance Refunding of 1999 TAB	Tax Increment	809,213				809,213		
6	2010 TAB	Bank of New York (Trustee)	2010	Bonds issued to fund projects	Tax Increment	681,494				681,494		
7	2011 TAB	Bank of New York (Trustee)	2011	Bonds issued to fund projects	Tax Increment	2,463,769						2,463,769
10	East-West Connector	Alameda County Transportation Commissio	1988	Union City Equity payment (estimate)	Bond Proceeds							
11	Tropics Rental Assistance Program	Union Bank (Trustee)	2011	Annual contribution of $200,000 for 10 years	Tax Increment							
13	Pedestrian Promenade, Playground, and	ROMA Design Group	2010	Engineering and Design	Bond Proceeds							
14	Pedestrian Promenade, Playground, and	Ghirardelli Associates	2011	Construction Management	Bond Proceeds	37,004	37,004					
15	Pedestrian Promenade, Playground, and	Blossom Valley Construction	2011	Construction	Bond Proceeds	1,020,054	1,020,054					
16	East Plaza and Transit Loop Road	ROMA Design Group	2009	Engineering and Design	Bond Proceeds							
17	East Plaza and Transit Loop Road	Ghirardelli Associates	2011	Construction Management	Bond Proceeds	357,944	357,944					
18	East Plaza and Transit Loop Road	Joseph J. Albanes Construction	2011	Construction	Bond Proceeds	3,054,185	3,054,185					
19	BART Phase 2	ROMA Design Group	2010	Engineering and Design	Bond Proceeds							
20	BART Phase 2	ROMA Design Group	2010	Construction Management	Bond Proceeds	600,000	100,000	100,000	100,000	100,000	100,000	100,000
21	BART Phase 2	BART	2010	Construction Management and Fare Gates	Bond Proceeds	4,200,000	700,000	700,000	700,000	700,000	700,000	700,000
22	BART Phase 2	BART	2010	Construction	Bond Proceeds	4,200,000	700,000	700,000	700,000	700,000	700,000	700,000
23	BART Phase 2	BART	2010	Pedestrian Crossing, Right-of-Way. and Contingency	Bond Proceeds	600,000	100,000	100,000	100,000	100,000	100,000	100,000
24	Union Landing OPA for CFD 1997-1	Pappas Union City LP	1997	per OPA Agreement	Tax Increment	105,020						105,020
25	Union Landing OPA for CFD 1997-1	Dyer Triangle LLP	1997	per OPA Agreement	Tax Increment	112,378						112,378
26	Union Landing Agreement for CFD 199	TOMTEX Investments	1997	per OPA Agreement	Tax Increment	0						
27	Alma Via Skilled Nursing	State of California	2004	Repayment of HELP loan	Tax Increment							
28	Intermodal Station Funding support	Nolte Associates / KEI	Ongoing	Consulting for Grants Administration	Bond Proceeds	30,000	5,000	5,000	5,000	5,000	5,000	5,000
29A	Intermodal Station District projects	Staff time spent working directly on the Inte	Ongoing	Payroll and benefits	Bond Proceeds	403,056	67,176	67,176	67,176	67,176	67,176	67,176
29B	Successor Agency Administration	Staff time spent working directly on adminis	Ongoing	Payroll and benefits	Tax Increment	94,626	15,771	15,771	15,771	15,771	15,771	15,771
39	Blight removal	The ARC of Alameda County	Ongoing	Blight removal	Tax Increment	30,000	5,000	5,000	5,000	5,000	5,000	5,000
40	Blight removal	Centro de Servicios	Ongoing	Blight removal	Tax Increment	25,002	4,167	4,167	4,167	4,167	4,167	4,167
41A	Intermodal Station District projects	Meyers-Nave	Ongoing	Legal Services	Bond Proceeds	30,000	5,000	5,000	5,000	5,000	5,000	5,000
41B	Successor Agency Administration	Meyers-Nave	Ongoing	Legal Services	Tax Increment	30,000	5,000	5,000	5,000	5,000	5,000	5,000
56	East-West Connector	Goldfarb & Lipman	Ongoing	Legal analysis and advice	Bond Proceeds	12,000	2,000	2,000	2,000	2,000	2,000	2,000
59	East-West Connector	Wulfsberg Reese Colvig & Firstman	Ongoing	Legal analysis and advice	Bond Proceeds	12,000	2,000	2,000	2,000	2,000	2,000	2,000
66	Intermodal Station District projects	Keyser Marston Associates	Ongoing	Analysis and advice	Bond Proceeds	12,000	2,000	2,000	2,000	2,000	2,000	2,000
75	Police Substation at Alvarado Plaza	Duckett-Wilson Development Company	2008	Shared expenses of shopping center	Tax Increment	15,000	2,500	2,500	2,500	2,500	2,500	2,500
126	Successor Agency Operations	Bank of New York	Ongoing	Tab issues administration	Tax Increment	6,600	1,100	1,100	1,100	1,100	1,100	1,100
136	11th Street repair due to construction w	XYZ Construction	2011	Slurry seal and thermoplastic for 11th Street	Bond Proceeds	0						
140	Successor Agency Operations	State Controller's Office	2011	Required Audits	Tax Increment	0						
143	Horner-Veasy	Kaiser Marston Associates, Inc.	2007	Studies and programs to implement amortization	Bond Proceeds	30,000	30,000					
144	BART Phase 1	BART	2006	Final inspection and replacement costs	Bond Proceeds	500,000						500,000
146	Enforceable Obligations to Public Agenc	June 12, 2007, Resolution No. 3378-07, City Council Authorizes Submission of Application for Priority Development Area: 1,988 housing units within ¼ mile of Intermodal, 2,574 jobs within ¼ mile of Intermodal Station. Accepted by ABAG November 15, 2007.	2007	Development of the Intermodal Station District	Other							
147	Enforceable Obligations to Public Agenc	MTC Resolution 3434, December 14, 2005, 3,352 market-rate units, and 178 affordable units within ½ mile of BART	2005	Development of the Intermodal Station District	Other							
148	Enforceable Obligations to Public Agenc	U.S. Department of Commerce, Financial Assistance Award, to City of Union City and the Alameda County Flood Control and Water Conservation District, Award No. 07-01-05553, $3,190,589, obligation to develop 1,559 jobs on the former PG&E property, 1,657 jobs on Shelton property, and 833 jobs on the PSSC WCA	2006	Development of the Intermodal Station District	Other							
149	Enforceable Obligations to Public Agenc	DOT Highway Account - State funding	2000	Station District Plan	Other							

150	Enforceable Obligations to Public Agenc	CPCFA - State Grant	2002	Rail connection study - EIR	Other							
151	Enforceable Obligations to Public Agenc	TCRP - Federal Grant	2003	Rail connection study - EIR	Other							
152	Enforceable Obligations to Public Agenc	MTC RM2 funds - State Grant	2004	Rail connection study - EIR	Other							
153	Enforceable Obligations to Public Agenc	AC Transit - Federal Grant pass-through	2005	BART Phase 1	Other							
154	Enforceable Obligations to Public Agenc	CMA TIP - Local funding	2005	Pedestrian Tunnel design	Other							
155	Enforceable Obligations to Public Agenc	FTA (5307) - Federal Grant CA-90-Y462	2005	BART Phase 1	Other							
156	Enforceable Obligations to Public Agenc	FTA (5309) - Federal Grant CA-03-0720	2005	BART Phase 1	Other							
157	Enforceable Obligations to Public Agenc	FTA (5307) - Federal Grant CA-90-Y371	2005	BART Phase 1	Other							
158	Enforceable Obligations to Public Agenc	FTA (5307) - Federal Grant CA-95-X016	2005	BART Phase 1	Other							
159	Enforceable Obligations to Public Agenc	STIP (PTA) - State funds	2005	BART Phase 1	Other							
160	Enforceable Obligations to Public Agenc	ACTIA - Local funds	2005	BART Phase 1	Other							
161	Enforceable Obligations to Public Agenc	TCRP - Federal Grant TFP-06-25	2005	BART Phase 1	Other							
162	Enforceable Obligations to Public Agenc	FTA - Federal Grant CA-00-046-01	2006	BART Phase 1	Other							
163	Enforceable Obligations to Public Agenc	FTA (HIP) - Federal Grant CA-95-X048	2006	BART Phase 1	Other							
164	Enforceable Obligations to Public Agenc	ACTIA/Bike/Ped - Local funds	2006	11th Street Enhancements	Other							
165	Enforceable Obligations to Public Agenc	EDA - Federal Grant 07-01-05553	2006	East-West Connector / Box Channel	Other							
166	Enforceable Obligations to Public Agenc	2008 HCD TOD - State Grant	2008	Pedestrian Promenade and BART Phase 2	Other							
167	Enforceable Obligations to Public Agenc	FTA - Federal Grant CA-04--0151	2009	BART Phase 1	Other							
168	Enforceable Obligations to Public Agenc	STIP (TE) - State funds	2005	BART Phase 2	Other							
169	Enforceable Obligations to Public Agenc	FTA - Federal Grant 2009-BUSP-179	2005	BART Phase 2	Other							
170	Enforceable Obligations to Public Agenc	State (RIP) - State funds	2005	BART Phase 2	Other							
171	Enforceable Obligations to Public Agenc	2009 HCD Infill - State Grant	2009	BART Phase 2	Other							
172	Enforceable Obligations to Public Agenc	FTA - Federal Grant	2009	East Plaza and Loop Road	Other							
173	Enforceable Obligations to Public Agenc	MTC (TLC) to FTA (5309) - Federal Grant	2009	East Plaza and Loop Road	Other							
TOTAL						**22,078,759**	**6,215,901**	**1,716,714**	**1,716,714**	**5,814,835**	**1,716,714**	**4,897,881**

PASS-THROUGH OBLIGATIONS remaining through June 30, 2012 (County shall pay these obligations beginning July 1, 2012 according to Carol Orth)

						Total Due	Payments by month					
Ref.	**Project Name / Debt Obligation**	**Payee**	**Initial Date**	**Description**	**Source of Repayment**	**Jul - Dec, 2012 ***	**Jul, 2012 ***	**Aug, 2012 ***	**Sep, 2012 ***	**Oct, 2012 ***	**Nov, 2012 ***	**Dec, 2012 ***
oo1	Contractual Pass-through Agreement	County of Alameda and Library District	1998	Agreement dated September 29, 1998	Tax Increment							
oo2	Contractual Pass-through Agreement	Alameda County Superintendent of Schools	1989	Agreement dated April 18, 1989	Tax Increment							
oo3	Contractual Pass-through Agreement	East Bay Regional Park District	1988	Agreement dated June 13, 1988	Tax Increment							
oo4	Contractual Pass-through Agreement	New Haven Unified School District	1997	Agreement dated March 25, 1997	Tax Increment							
oo5	Contractual Pass-through Agreement	Ohlone College	1988	Agreement dated June 13, 1988	Tax Increment							
oo6	H&S 33676 pass-through	County of Alameda	Ongoing	H&S 33676 pass-through withheld by County	Tax Increment							
oo7	H&S 33676 pass-through	Alameda County Library District	Ongoing	H&S 33676 pass-through withheld by County	Tax Increment							
oo8	H&S 33676 pass-through	Alameda County Flood Control District	Ongoing	H&S 33676 pass-through withheld by County	Tax Increment							
oo9	H&S 33676 pass-through	Alameda County Mosquito Abatement Distr	Ongoing	H&S 33676 pass-through withheld by County	Tax Increment							
oo10	H&S 33676 pass-through	Bay Area Rapid Transit District	Ongoing	H&S 33676 pass-through withheld by County	Tax Increment							
oo11	H&S 33676 pass-through	Ohlone College	Ongoing	H&S 33676 pass-through withheld by County	Tax Increment							
oo12	H&S 33676 pass-through	City of Union City	Ongoing	H&S 33676 pass-through withheld by County	Tax Increment							
oo13	County Administration Fee	Alameda County Administrators Office	Ongoing	Withhold for County services	Tax Increment							
oo14	AB 1290 pass-through	Alameda County Administrators Office	2003	Payments required pursuant to AB 1290	Tax Increment							
oo15	AB 1290 pass-through	Alameda County Mosquito Abatement Distr	2003	Payments required pursuant to AB 1290	Tax Increment							
oo16	AB 1290 pass-through	Alameda County Superintendent of Schools	2003	Payments required pursuant to AB 1290	Tax Increment							
oo17	AB 1290 pass-through	Alameda County Flood Control District	2003	Payments required pursuant to AB 1290	Tax Increment							
oo18	AB 1290 pass-through	Alameda County Library District	2003	Payments required pursuant to AB 1290	Tax Increment							
oo19	AB 1290 pass-through	Alameda County Resource Conservation Di	2003	Payments required pursuant to AB 1290	Tax Increment							
oo20	AB 1290 pass-through	Alameda County Water District	2003	Payments required pursuant to AB 1290	Tax Increment							
oo21	AB 1290 pass-through	Bay Area Rapid Transit District	2003	Payments required pursuant to AB 1290	Tax Increment							
oo22	AB 1290 pass-through	Bay Area Air Quality Management District	2003	Payments required pursuant to AB 1290	Tax Increment							
oo23	AB 1290 pass-through	Chabot College	2003	Payments required pursuant to AB 1290	Tax Increment							
oo24	AB 1290 pass-through	City of Union City	2003	Payments required pursuant to AB 1290	Tax Increment							
oo25	AB 1290 pass-through	East Bay Regional Park District	2003	Payments required pursuant to AB 1290	Tax Increment							
oo26	AB 1290 pass-through	Education Relief Augmentation Fund (ERAI	2003	Payments required pursuant to AB 1290	Tax Increment							
oo27	AB 1290 pass-through	New Haven Unified School District	2003	Payments required pursuant to AB 1290	Tax Increment							
oo28	AB 1290 pass-through	Ohlone College	2003	Payments required pursuant to AB 1290	Tax Increment							
TOTAL						**0**	**0**	**0**	**0**	**0**	**0**	**0**
COMBINED TOTAL						**22,078,759**	**6,215,901**	**1,716,714**	**1,716,714**	**5,814,835**	**1,716,714**	**4,897,881**