

## **RESOLUTION NO. 2014/15-02**

### **A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT AGENCY APPROVING THE ACCEPTANCE OF CASH, INVESTMENT FUNDS AND A PROMISSORY NOTE BY THE SUCCESSOR AGENCY PURSUANT TO SUCCESSOR AGENCY RESOLUTION NO. 03-1415**

**WHEREAS**, between January 1, 2011, and January 31, 2012, the Arcata Community Development Agency (“RDA”) transferred approximately \$30,586,012 in funds and assets to the City of Arcata for purposes of implementation of housing and economic development goals of the RDA; and

**WHEREAS**, in furtherance of the former RDA purposes for which the cash transfer was made, the City has expended part of the transferred cash on the following projects:

- Arcata Bay Crossing Housing for the Homeless
- Twin Parks Master Planning
- Happy Valley Master Plan
- Little Lakes Master Plan
- Downtown sidewalk improvements and sculptures (G and H Streets)
- Samoa Boulevard Streetscape Phase II
- Samoa Boulevard Master Plan
- Mad River Business Park Development Agreement
- Rotary Park Improvements
- Sunset and H Street Gateway Improvements
- Sandpiper Mobile Home Park
- Plaza Point Mixed Use Development; and

**WHEREAS**, pursuant to Health and Safety Code section 34172 *et seq.*, the RDA was dissolved effective February 1, 2012; and

**WHEREAS**, pursuant to Health and Safety Code section 34167.5, in April 2014 the State Controller completed review of fund and asset transfers made by the former RDA to the City between January 1, 2011 and January 31, 2012 (“SCO Asset Transfer Review Report”), and directed the City to transfer \$7,136,645 of the former RDA cash and investment funds to the former RDA Successor Agency (“Successor Agency”); and

**WHEREAS**, subsequent to the SCO review period, from January 31, 2012, through June 30, 2014, the former RDA cash and investment fund accounts have accrued interest and other income, and additional expenditures deemed allowable by the California Department of Finance (“DOF”) have been made; and

**WHEREAS**, the unadjusted updated balances of the former RDA cash accounts and investment funds are shown on the “Successor Agency to Arcata Community

Development Agency, Summary of Assets Transferred to City of Arcata, As of June 30, 2014, Unadjusted" attached hereto and incorporated herein, and estimate the updated balance of cash and investment funds subject to transfer to the Successor Agency at approximately \$7,411,434.16; and

**WHEREAS**, in order to comply with the State Controller's Asset Transfer Review Report, the City has approved transferring to the Successor Agency available cash and investment funds received from the RDA in 2011 (approximately equal to \$4,156,328.19) and entering into a promissory note in favor of the Successor Agency in the principal amount of the remaining balance (approximately equal to \$3,255,105.97); and

**WHEREAS**, the City intends to pay off said promissory note to the Successor Agency concurrent with its previous commitment of financial assistance to the Successor Agency to satisfy the DOF final due diligence review (DDR) determinations made pursuant to Health and Safety Code Section 34179.5; and

**WHEREAS**, pursuant to Arcata City Council Resolution No. 145-19 adopted on August 20, 2014 the Arcata City Council transferred, and pursuant to Successor Agency Resolution No. 03-1415 adopted on August 20, 2014 the Successor Agency accepted, cash, investment funds and a promissory note in order to comply with the State Controller's transfer order.

**NOW, THEREFORE, BE IT RESOLVED** by the Oversight Board of the Successor Agency to the Community Development Agency as follows:

1. The above recitals are true and correct and incorporated herein.
2. The Successor Agency Resolution No. 03-1415 accepting the transfer of available cash and investment funds, and accepting a promissory note from the City of Arcata in compliance with the April 2014 State Controller's transfer order is hereby approved.
3. The Successor Agency Secretary and Treasurer are hereby authorized and directed to take all action as required by state law associated with this resolution including transmitting it to the Humboldt County Auditor-Controller, the State Controller, and the state Department of Finance.

This resolution shall be effective upon its adoption.

Dated: August 21, 2014

**ATTEST:**

---

Secretary and Clerk, Oversight Board of the  
Successor Agency to the Arcata Community  
Development Agency

**APPROVED:**

---

Chairperson, Oversight Board of the  
Successor Agency to the Arcata Community  
Development Agency

**Attachment:** Successor Agency to Arcata Community Development Agency  
Summary of Assets Transferred to City of Arcata  
As of June 30, 2014, Unadjusted

**SECRETARY'S CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of **Resolution No. 2014/15-02**, passed and adopted at a regular meeting of the Oversight Board of the Successor Agency to the Arcata Community Development Agency of the City of Arcata, County of Humboldt, State of California, held on the 21<sup>st</sup> day of August, 2014, by the following vote:

**AYES: WHEETLEY, COWAN, LOVELACE, CLASS**

**NOES: NONE**

**ABSENT: HANGER, LINDSEY, HAUSER**

**ABSTENTIONS: NONE**

---

Secretary and Clerk, Oversight Board of the Successor Agency to the Arcata Community Development Agency

Successor Agency to Arcata Community Development Agency

Summary of Assets Transferred to City of Arcata

As of June 30, 2014, Unadjusted

Date	Description	Total	Allowable	Unallowable	Oversight	Cash Assets		
						Approval	Clawback	Amount due to Successor Agency
3/10/11	Housing cash transfer to City	1,863,000		1,863,000		1,863,000		1,863,000.00
3/10/11	Housing real property transfer to City	50,000		50,000	50,000	-		
3/28/11	Non-housing cash transfer to City	4,682,395		4,682,395		4,682,395		4,682,395.00
3/28/11	Housing notes receivable transfer to City	2,745,811		2,745,811	2,745,811	-		
3/28/11	Non-housing notes receivable transfer to City	294,226		294,226		294,226		
3/28/11	Housing real property transfer to City	4,358,046		4,358,046	4,358,046	-		
3/28/11	Non-housing real property transfer to City	1,320,297		1,320,297		1,320,297		
7/31/11	Non-housing cash transfer to City	591,250		591,250		591,250		591,250.00
1/31/12	Assets transferred to Successor Agency	14,680,987	14,680,987	-	-			
		<u>30,586,012</u>	<u>14,680,987</u>	<u>15,905,025</u>	<u>7,153,857</u>	<u>8,751,168</u>		<u>7,136,645.00</u>

Additional Funds Earned After 1/31/12 through 6/30/14:

Interest income	60,164.18
Investment income on Bond Funds	142,753.77
Rents & Leases	10,500.00
Sale of Sandpiper Homes	<u>658,900.00</u>

Total Cash/Investments to account for through 6/30/14

8,008,962.95

Less Allowable Successor Agency Expenditures:

Legal services	(11,370.00)
Project - Sandpiper	(367,158.79)
Project - Mad River Parkway	(19,000.00)
Project - Plaza Point	(100,000.00)
Project - Plaza Point (prior to 6/28/11)	<u>(100,000.00)</u>

Total Allowable Expenditures

(597,528.79)

Total Amount Due to Successor Agency

7,411,434.16

Less Cash and Investments at 6/30/14:

244-00-00-11000	General Cash	(956,430.16)
244-00-00-11530	Investments	(274,055.78)
245-00-00-11000	General Cash	(273,163.39)
245-00-00-11530	Investments	(85,124.22)
245-00-00-11560	Bond Funds	<u>(2,567,554.64)</u>

Total Cash and Investments at 6/30/14

(4,156,328.19)

Total Amount of Note Payable from City to Successor Agency

3,255,105.97