

RESOLUTION NO. 09-1112

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE ARCATA COMMUNITY DEVELOPMENT AGENCY ADOPTING AN ADMINISTRATIVE BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 AND 34169, RESPECTIVELY

WHEREAS, the City Council of the City of Arcata created the Arcata Community Development Agency and adopted the first Redevelopment Implementation Plan in 1983 for the purpose of considering and pursuing redevelopment activities in the community pursuant to the Community Redevelopment Law (“CRL”), Health and Safety Code §§ 33000 et seq.

WHEREAS, pursuant to AB1x 26, amending portions of Division 24 of the CRL, redevelopment agencies are dissolved effective February 1, 2012; and

WHEREAS, on August 24, 2011, the City Council elected in accordance with Health and Safety Code Section 34173 to serve as Successor Agency to the Arcata Community Development Agency, which is responsible for enforceable obligation payments and all other responsibilities as specified in Section 34177 of the Health and Safety Code; and

WHEREAS, Health and Safety Code Section 34167 prohibits redevelopment successor agencies from making payments for anything other than enforceable obligations as defined by Section 34167(d); and

WHEREAS, Section 34177(j) of the Health and Safety Code requires the successor agency to prepare a proposed administrative budget for submittal to the oversight board for its approval, which is to include estimated amounts for successor agency administrative costs for the upcoming six month period, proposed sources of payment for such administrative costs, and proposals for arrangements for administrative and operations services provided by the City of Arcata; and

WHEREAS, pursuant Section 34177(l) of the Health and Safety Code, the Successor Agency must prepare an ROPS projecting dates and payment amounts for the period January 1, 2013 through June 30, 2013; post it to the Successor Agency’s website; and submit it to the County Auditor, State Controller, Department of Finance no later than September 1, 2012; and

WHEREAS, in electing to act as successor to the Arcata Community Development Agency as provided in Health and Safety Code Sections 34173 and 34176, the City Council expressly recognizes and reaffirms the statutory limitation on the City and the City Council’s liability in such actions. Nothing in this Resolution shall be construed as a commitment, obligation, or debt of the City or any resources, funds or assets of the City to fund the Successor Agency.

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

1. The above recitals are true and correct and incorporated herein.

2. The Successor Agency Budget attached hereto as Exhibit “A” and incorporated herein is hereby adopted (“Administrative Budget”).
3. The Recognized Obligations Payment Schedule attached hereto as Exhibit “B” and incorporated herein is hereby adopted (“ROPS”).
4. As required by Health and Safety Code section 34177(l)(B), the Successor Agency directs staff to forward the ROPS to the Oversight Board for consideration for approval.
5. As required by Health and Safety Code section 34169(i), the Successor Agency Treasurer is hereby designated as the official to whom the Department of Finance may make requests in connection with the ROPS.
6. The Successor Agency Treasurer is hereby directed to take all action as required by state law associated with this Resolution, including transmitting the draft ROPS to the Humboldt County auditor-controller, the state Controller, and the state Department of Finance, and providing contact information to the Department of Finance.
7. The Successor Agency Treasurer is hereby authorized and directed to take all action necessary to post the ROPS on the Successor Agency’s website.

This Resolution shall be effective upon adoption.

Dated: August 15, 2012

ATTEST:

APPROVED:

 Secretary, Successor Agency to the
 Community Development Agency of the
 City of Arcata

 Chair, Successor Agency to the
 Community Development Agency of the
 City of Arcata

SECRETARY'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Resolution No. __-1112**, passed and adopted at a regular meeting of the Successor Agency to the Community Development Agency of the City of Arcata, County of Humboldt, State of California, held on the ____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Secretary, Successor Agency to the
Community Development Agency of the
City of Arcata

EXHIBIT A
ADMINISTRATIVE BUDGET

Exhibit A
 Successor Agency Budget
 for the period
 01/01/2013-06/30/2013
 Adopted by Resolution SA 09-1112

Fund	Dept	Act	Acct	Description	01/01/2013- 06/30/2013
880	30	12	50100	Regular Salaries	\$ 45,000
880	30	12	50200	Overtime Wages	
880	30	12	50300	Part-time & Temporary Salaries	
880	30	12	50500	Vehicle Allowance	
880	30	12	50990	Other Employee Benefits	32,766
880	30	12	51100	Utilities	500
880	30	12	51200	Communications	375
880	30	12	51300	Advertising	500
880	30	12	51400	Training & Conferences	3,000
880	30	12	51600	Memberships & Dues	250
880	30	12	51770	Other Professional Services	-
880	30	12	51771	Legal Consultations	3,750
880	30	12	51775	Audit Services	5,000
880	30	12	51778	Tax Consulting Services	4,800
880	30	12	52000	Insurance	2,275
880	30	12	52502	County Tax Administration	-
880	30	12	53100	Postage	250
880	30	12	53200	Photocopy	500
880	30	12	54200	Other Department Supplies	1,000
880	30	12	55800	IT Services & Maintenance	2,634
880	30	12	55900	Overhead/Oversight Board	22,400
880	30	12	59990	SA - Admin	\$ 125,000

Note 1: The source of funds for this budget is the Redevelopment Property Tax Trust Fund.

Note 2: The Successor Agency uses the same account structure and numbering system as the former Agency

Note 3: The Successor Agency proposes former Agency staff operate and administer per Sec. 34177(j)(3)

EXHIBIT B

RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE

Successor Agency Contact Information

Name of Successor Agency:	Successor Agency to the Arcata
County:	<u>Community Development Agency</u>
	<u>Humboldt</u>
Primary Contact Name:	David Loya, Community Development
Primary Contact Title:	Deputy Director
Address	736 F Street, Arcata, CA 95521
Contact Phone Number:	<u>707-825-2045</u>
Contact E-Mail Address:	<u>dloya@cityofarcata.org</u>
Secondary Contact Name:	<u>Janet Luzzi</u>
Secondary Contact Title:	<u>Finance Director</u>
Secondary Contact Phone Number:	<u>707-825-2120</u>
Secondary Contact E-Mail Address:	<u>jluzzi@cityofarcata.org</u>

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the January 1, 2013 to June 30, 2013 Period

Name of Successor Agency: Successor Agency to the Arcata Community Development Agency

	Total Outstanding Debt or Obligation
Outstanding Debt or Obligation	\$ 14,392,350
Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	0
B Enforceable Obligations Funded with RPTTF	1148218
C Administrative Allowance Funded with RPTTF	125000
D Total RPTTF Funded (B + C = D)	1273218
Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$ 1,273,218
E Enter Total Six-Month Anticipated RPTTF Funding	
F Variance (D - E = F) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	\$ (1,273,218)
Prior Period (January 1, 2012 through June 30, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))	
G Enter Estimated Obligations Funded by RPTTF <i>(Should be the same amount as RPTTF approved by Finance, including admin allowance)</i>	
H Enter Actual Obligations Paid with RPTTF	
I Enter Actual Administrative Expenses Paid with RPTTF	
J Adjustment to Redevelopment Obligation Retirement Fund (G - (H + I) = J)	0
K Adjustment to RPTTF	\$ 1,273,218.00

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.

Name Title

Signature Date

Name of Successor Agency:

Successor Agency to the Arcata Community Development Agency

County:

Humboldt

Oversight Board Approval Date: _____

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)
January 1, 2013 through June 30, 2013**

Item #	Project Name / Debt 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 2012-13	Funding Source						
									LMIHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
Grand Total							\$ 14,392,350	\$ 2,656,436	\$ -	\$ -	\$ -	\$ 125,000	\$ 1,148,218	\$ -	\$ 1,273,218
1	1994 Tax Allocation Bonds	Dec. 1, 2003	Aug. 1, 2033	US Bank	Debt Service on Bonds	N/A	3,873,350.00	331,000.00					78,000		78,000
2	2003 Tax Allocation Bonds	Dec. 1, 2003	Aug. 1, 2033	US Bank	Debt Service on Bonds	N/A	8,760,000.00	566,436.00					215,718		215,718
3	Fiscal Agent Fees	Dec. 1, 2003	Aug. 1, 2033	US Bank	Trustee Fees per Loan Agreement	N/A	9,000.00	9,000.00					4,500		4,500
4	2012/2013 Escrow Payment	Dec. 1, 2003	Aug. 1, 2033	US Bank	Impound req'd per Sec. 4.09 of bond loan agreement	N/A	1,500,000.00	1,500,000.00					850,000		850,000
5	Admin - City Costs	N/A	N/A	City of Arcata	Payroll, benefits, supplies, building costs	N/A	217,900.00	217,900.00				107,700			107,700
6	Admin - Legal	Sep. 1, 2011	Sept. 1, 2016	Nancy Diamond Law Offices	Legal services - Contract renewed annually	N/A	7,500.00	7,500.00				3,750			3,750
7	Admin - Tax Consulting Serv.	Apr. 7, 1999	ongoing	HdL Coren and Cone	Property tax consulting - Contract renewed annually	N/A	9,600	9,600				4,800			4,800
8	Admin - Audit Serv.	May. 5, 2011	Mar. 31, 2014	JJACPA, Inc	2012/13 Audit - Contract renewed annually	N/A	7,500	7,500				5,000			5,000
9	Admin - Oversight Board Mtgs	N/A	N/A	City of Arcata	staffing, supplies, space/equipment use	N/A	7,500	7,500				3,750			3,750
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Name of Successor Agency:

Successor Agency to the Arcata Community Development Agency

County:

Humboldt

**Pursuant to Health and Safety Code section 34186 (a)
 PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)
 January 1, 2012 through June 30, 2012**

Page/Form	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF		Bond Proceeds		Reserve Balance		Admin Allowance		RPTTF		Other	
						Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
		Grand Total				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 250,000	\$ 135,514	\$ 2,961,238	\$ 2,018,179	\$ 1,000	\$ -
1	1	1994 Tax Allocation Bonds	US Bank	Debt Service paid in February 2012	N/A									82,950	\$ 82,950.00		
1	2	2003 Tax Allocation bonds	US Bank	Debt Service paid in February 2013	N/A									217,993	\$ 217,993.00		
1	3	Fiscal Agent Fees	US Bank	Trustee Fees	N/A									4,000	\$ 4,579.00		
1	4	2011/12 Escrow Payment	US Bank	agreement	N/A									1,056,351	705,811		
1	5	Admin - City Costs	City of Arcata	Payroll, Benefits, Legal Services	N/A							230,715	125,656				
1	6	Admin - Legal Consultations (Contract)	Nancy Diamond Law Offices	Successor Agency Legal Services	N/A							7,500	5,058				
1	7	Admin - Tax Consulting Services (Contract)	HdL Coren and Cone	Property tax consulting	N/A							5,010	4,800				
1	8	Admin - Audit Services (Contract)	JJACPA, Inc	2011/12 audit	N/A							4,900	-				
1	9	Admin - Oversight Board - Quarterly Meetings	City of Arcata	Fees for staffing, equipment, space use	N/A							1,875	-				
1	10	Arcata Theater Business Loan Serviceing	AEDC	This line item was erroneously included	N/A											1,000	N/A
1	11	1994 Tax Allocation Bonds	US Bank	potential cash flow problems	N/A									247,950	247,950		
1	12	2003 Tax Allocation bonds	US Bank	potential cash flow problems	N/A									347,994	347,994		
1	13	Fiscal Agent Fees	US Bank	potential cash flow problems	N/A									4,000	-		
1	14	2012/13 Escrow Payment	US Bank	agreement	N/A									1,000,000	410,902		
1	15	Estimated admin for Jul-Dec 2012	City of Arcata	This line item was disapproved by DOF	N/A							N/A	N/A				