

Successor Agency to the Turlock Redevelopment Agency Meeting Agenda



MAY 22, 2012

7:00 p.m.

**City of Turlock Yosemite Room
156 S. Broadway, Turlock, California**



Chairman
John S. Lazar

Agency Members
William DeHart, Jr. Mary Jackson
Forrest White Amy Bublak

Executive Director
Roy W. Wasden
Secretary
Kellie E. Weaver
City Attorney
Phaedra A. Norton

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Successor Agency to the Turlock Redevelopment Agency meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the City Clerk's Office at (209) 668-5540. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the Successor Agency to the Turlock Redevelopment Agency on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the Agency's consideration of the item.

AGENDA PACKETS: Prior to the Successor Agency to the Turlock Redevelopment Agency meeting, a complete Agenda Packet is available for review on the City's website at www.cityofturlock.org and in the City Clerk's Office at 156 S. Broadway, Suite 230, Turlock, during normal business hours. Materials related to an item on this Agenda submitted to the Agency after distribution of the Agenda Packet are also available for public inspection in the City Clerk's Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

1. CALL TO ORDER

2. CITIZEN PARTICIPATION:

This is the time set aside for members of the public to directly address the Successor Agency to the Turlock Redevelopment Agency on any item of interest to the public, before or during the Agency's consideration of the item, that is within the subject matter jurisdiction of the Agency. You will be allowed three (3) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Agency addresses the matter.

No action or discussion may be undertaken on any item not appearing on the posted agenda, except that Agency may refer the matter to staff or request it be placed on a future agenda.

3. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:

4. CONSENT CALENDAR:

Information concerning the consent items listed hereinbelow has been forwarded to each Agency Member prior to this meeting for study. Unless the Chairman, an Agency Member or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Agency. The action taken by the Agency in approving the consent items is set forth in the explanation of the individual items.

- A. Motion: Accepting Minutes of the March 27, 2012 Regular Meeting of the Successor Agency to the Turlock Redevelopment Agency

5. PUBLIC HEARINGS: None

6. SCHEDULED MATTERS:

- A. Request to adopt the FY 2012-2013 Budget for the Successor Agency to the Turlock Redevelopment Agency. (*McNally-Dial*)

Recommended Action:

Resolution: Adopting the FY 2012-2013 Budget for the Successor Agency to the Turlock Redevelopment Agency

- B. Request to approve a Recognized Obligation Payment Schedule for July-December 2012 pursuant to Health and Safety Code Section 34177 and taking certain actions in connection therewith

Recommended Action:

Resolution: Approving an Amended Recognized Obligation Payment Schedule for January – June 2012 pursuant to Health and Safety Code Section 34177 and taking certain actions in connection therewith

Resolution: Approving a Recognized Obligation Payment Schedule for July – December 2012 pursuant to Health and Safety Code Section 34177 and taking certain actions in connection therewith

7. ADJOURNMENT

DRAFT

MARCH 27, 2012

7:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

- 1. **CALL TO ORDER** – Chairman Lazar called the meeting to order at 8:15 p.m.
 PRESENT: Agency Members Amy Bublak, Bill DeHart, Mary Jackson, Forrest White and
 Chairman John S. Lazar
 ABSENT: None

2. **CITIZEN PARTICIPATION:** None

3. **DECLARATION OF CONFLICT OF INTEREST AND DISQUALIFICATIONS:** None

4. **CONSENT CALENDAR**

Action: Motion by Agency Member Jackson, seconded by Agency Member DeHart, and carried unanimously to adopt the consent calendar as follows:

- A. *Motion:* Accepting Minutes of the February 28, 2012 Regular Meeting of the Successor Agency to the Turlock Redevelopment Agency
- B. **Resolution No. SA-RDA-2012-005** Adopting a Conflict of Interest Code containing designated positions and disclosure categories

5. **PUBLIC HEARINGS:** None

6. **SCHEDULED MATTERS:** None

7. **ADJOURNMENT**

Chairman Lazar adjourned the meeting at 8:17 p.m.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
 City Clerk

6A



Successor Agency to the Redevelopment Agency Synopsis

May 22, 2012

From: Roy W. Wasden, Executive Director

Prepared by: Heidi McNally-Dial, Economic Development/Redevelopment
Manager

Agendized by: Roy W. Wasden, Executive Director

1. ACTION RECOMMENDED:

Resolution: Adopting a the FY 2012-2013 Budget for the Successor Agency to
the Turlock Redevelopment Agency

2. DISCUSSION OF ISSUE:

State law limits the powers of the Successor Agency as well as the budget from former redevelopment fund sources. A limit of \$250,000 for administrative purposes was proscribed in AB 1X 26. This amount is in addition to the expenses/contracts/projects contained in the Recognized Obligation Payment Schedule (ROPS). The ROPs for the next six months' time period (July 1 – December 31) is also included as an action item on this agenda. Based upon recommendation of the City Council sitting as the Successor Agency Board, the Oversight Board is responsible for adoption of the 2012-2013 Budget. Attachment A contains the draft budget.

The Budget reflects the previously approved payment schedule and administrative expenses as allowed by law. With the elimination of all redevelopment agencies earlier this year, much uncertainty still exists regarding the budget itself and allowable administrative expenses. Litigation regarding the budgets of some Successor Agencies is anticipated as well as further clarification from the State Controller's Office and Department of Finance. Future amendments may be necessary, and, if necessary staff will schedule a special meeting of the Board.

3. BASIS FOR RECOMMENDATION:

The adoption of this Resolution is necessary for the Successor Agency to comply with State law. Final budget approval rests with the Oversight Board which will review the budget on May 23, 2012.

4. FISCAL IMPACT / BUDGET AMENDMENT:

5. EXECUTIVE DIRECTOR'S COMMENTS:

Recommend approval.

6. ENVIRONMENTAL DETERMINATION:

There will be no new environmental impact associated with adoption of the attached Resolution.

7. ALTERNATIVES:

Adoption of this Resolution is necessary for the Successor Agency to adopt a budget for the 2012-2013 fiscal year. The Successor Agency can make any changes it sees fit.

ATTACHMENT A

**Successor to the Turlock Redevelopment Agency
Budget for Fiscal Year 2012-13**

Administrative Allowance

Successor Agency Staff	\$	212,225
Supplies, Utilities & Vehicle Expenses		3,050
Meetings and Training		2,600
Information Technology Services (includes maintenance)		3,300
Advertising		150
Other Contractual Services (including legal)		28,675
Total Administrative Allowance	\$	250,000

Project Costs

Contract Administration - Avena Bella	\$	24,000
Third Party Trustee Services - Bonds		12,000
Arbitrage Rebate Reports - Bonds		7,500
Audit Services		7,000
Public Safety Facility Expenditures		12,851,180
Mobile Home Park Subsidies		73,200
Contract Administration - Mobile Home Park Subsidies		12,000
Non Debt Service Project Costs	\$	12,986,880

Debt Service Payments (principal and interest)

1999 Bonds	\$	332,210
2006 Bonds		1,535,850
2011 Bonds		1,069,150
Total Debt Service Payments	\$	2,937,210

Total Project Costs

\$ 15,924,090

Other

Pass through payments held for YCCD	964,952
Pass through payments held for SCOE	93,101

Total Budget

\$ 17,232,143

**BEFORE THE SUCCESSION AGENCY TO THE
TURLOCK REDEVELOPMENT AGENCY**

**IN THE MATTER OF ADOPTING THE }
FY 2012-2013 BUDGET FOR THE }
SUCCESSOR AGENCY TO THE }
TURLOCK REDEVELOPMENT AGENCY }
_____ }**

RESOLUTION NO. SA-RDA-2012-

WHEREAS, the Successor Agency to the Turlock Redevelopment Agency has been appointed pursuant to the provisions of Health and Safety Code; and

WHEREAS, the Health and Safety Code requires the approval of the Successor Agency Budget for FY 2012-2013; and

WHEREAS, a budget has been drafted and attached for the period July 1, 2012 through June 30, 2013 has been prepared and presented to the Successor Agency to the Turlock Redevelopment Agency on May 22, 2012.

NOW, THEREFORE, the Board of Directors of the Successor Agency to the Turlock Redevelopment Agency does hereby adopt the FY 2012-2013 Budget as attached.

PASSED AND ADOPTED at a regular meeting of the Successor Agency to the Turlock Redevelopment Agency this 22nd day of May, 2012, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Kellie E. Weaver, City Clerk,
City of Turlock, County of Stanislaus,
State of California



Successor Agency to the Redevelopment Agency Synopsis

May 22, 2012

From: Roy W. Wasden, Executive Director

Prepared by: Marie Lorenzi, Senior Accountant

Agendized by: Roy W. Wasden, Executive Director

1. ACTION RECOMMENDED:

Resolution: Approving an Amended Recognized Obligation Payment Schedule for January – June 2012 pursuant to Health and Safety Code Section 34177 and taking certain actions in connection therewith

Resolution: Approving a Recognized Obligation Payment Schedule for July – December 2012 pursuant to Health and Safety Code Section 34177 and taking certain actions in connection therewith

2. DISCUSSION OF ISSUE:

Amended January – June ROPS

In February 2012 the Successor Agency approved the first Recognized Obligation Payment Schedule (ROPS) which was then forwarded to the Oversight Board for approval. This initial ROPS was for the period January – June 2012. The Oversight Board approved this ROPS in April and it was forwarded to the Stanislaus County Auditor-Controller's Office (A-C), the California Department of Finance (DOF) and the California State Controller's Office (SCO) as required by law.

After reviewing the ROPS, the DOF sent it back to the Successor Agency requesting that specific dollar amounts be attached to the projected expenditures related to the contracts for the public safety facility. As of the writing of this Synopsis, the Amended ROPS attached to the Resolution is at DOF awaiting their review and approval. If there are subsequent changes requested by DOF, Staff will present those changes to the Agency at its May 22, 2012 meeting.

July – December 2012 ROPS

The July – December 2012 ROPS is also before the Successor Agency for approval. After Successor Agency approval, the ROPS will be presented to the Oversight Board for their approval. Staff has prepared this ROPS similarly to the Amended ROPS mentioned above and has forwarded it to DOF for their review. Again, if DOF requests changes, those changes will be presented to the Agency at the May 22, 2012 meeting.

The following provides additional information for items of note on this ROPS.

DEBT SERVICE

The debt service included in this ROPS represents the amounts which will be due to bond holders in March 2013. The amounts that are due to bondholders in September 2012 were included in the ROPS for January – June 2012. This pattern of getting the debt service payments on a ROPS ahead of when they are due is based on the cash flow challenges resulting from the inconsistencies within the law.

The Agency's debt service payments consist of principal and interest for the September 1st payment and just interest for the March 1st payment. The cash flow effect for the current year means that the Agency needs approximately \$600,000 more revenue for the September payment than is needed for the March payment.

Revenue distributions don't match the debt service requirements. Under the current law, the amount the Agency received in December 2011 was intended to cover expenditures on the January – June 2012 ROPS and the amount to be distributed in June 2012 is for expenditures in the ROPS for the July – December 2012. As is clear, the fiscal year for revenue does not match the fiscal year for expenditures.

In addition, the Agency's larger debt service payments (in September) are to be paid from the revenue distributed in the second half of the previous fiscal year. Finally, any revenue available for distribution that is not needed to satisfy obligations on a ROPS is distributed to other taxing entities. This determination is made each six months – not on an annual basis. If Agency staff is not cognizant of these timing differences, the potential exists to have a mismatch of available revenues and debt service needs. The purpose for staying ahead in our debt service requirements is to provide a means to maintain sufficient reserves to continue to make timely debt service payments. Staff has had conversations with Standard and Poor's on this specific issue and is aware that the ratings agencies are tuned into this timing discrepancy and will be monitoring the situation.

PASS THROUGH PAYMENTS

The amounts listed on page 2 represent amounts that were on the RDA's balance sheet at February 1, 2012. Based on the negotiated agreements with the two taxing entities, the amounts the RDA held can only be disbursed when requested by the taxing entity and they must provide documentation that the funds will be used to fund capital expenditures. These amounts should have been included in the original ROPS, but were inadvertently omitted. Staff was advised at a recent meeting with the County Auditor-Controller's Office that all future pass through payments will be the responsibility of the A-C's office using available property tax revenue.

ADMINISTRATIVE ALLOWANCE

AB X1 26 provided that for the 1st year, the Successor Agency would receive 5% of revenue for administrative costs with a minimum of \$250,000. For succeeding years the administrative allowance will be 3% of revenue with a minimum of \$250,000. It appears that the first year is being interpreted by the State to mean the period of February – June 2012 and that the second year starts in July 2012. Therefore, Staff has assumed the minimum amount of \$250,000 when preparing the Successor Agency's 2012-13 budget. Staff has excluded from the Administrative Allowance costs which are project specific or are annually required activities (i.e. third party trustee services, arbitrage rebates services and audit services).

3. BASIS FOR RECOMMENDATION:

These items are before the Successor Agency to the Turlock Redevelopment Agency as required by Health and Safety Code Section 34177.

4. FISCAL IMPACT / BUDGET AMENDMENT:

Preparation of a Recognized Obligation Payment Schedule will allow the Successor Agency to pay enforceable obligations of the former redevelopment agency.

5. EXECUTIVE DIRECTOR'S COMMENTS:

Recommend approval.

6. ENVIRONMENTAL DETERMINATION:

N/A

7. ALTERNATIVES:

None recommended at this time as the preparation of a Recognized Obligation Payment Schedule is required by law in order for the Successor Agency to continue to pay obligations of the former Turlock Redevelopment Agency.

**BEFORE THE SUCCESOR AGENCY TO THE
TURLOCK REDEVELOPMENT AGENCY**

IN THE MATTER OF APPROVING AN AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY – JUNE 2012 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH	} } } } } } }	RESOLUTION NO. SA-RDA-2012-_____
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WHEREAS, AB X1 26 and AB X1 27 were signed by the Governor of California on June 29, 2011, making certain changes to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "Redevelopment Law"), including adding Part 1.8 (commencing with Section 34161) ("Part 1.8") and Part 1.85 (commencing with Section 34170) ("Part 1.85"); 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. S194861)) alleging that AB X1 26 and AB X1 27 are unconstitutional. On December 29, 2011, the Supreme Court issued its opinion in the Matosantos case largely upholding AB X1 26, invalidating AB X1 27, and holding that AB X1 26 may be severed from AB X1 27 and enforced independently; and

WHEREAS, the Supreme Court generally revised the effective dates and deadlines for performance of obligations in Part 1.85 arising before May 1, 2012, to take effect four months later; and

WHEREAS, as a result of the Supreme Court's decision, the Turlock Redevelopment Agency (the "Redevelopment Agency"), a redevelopment agency in the City of Turlock (the "City"), created pursuant to the Redevelopment Law, was dissolved pursuant to Part 1.85 on February 1, 2012; and

WHEREAS, by its Resolution No. 2012-009, adopted on January 10, 2012, the City Council of the City made an election to serve as the successor agency for the Redevelopment Agency under Part 1.85 (the "Successor Agency"); and

WHEREAS, by its Resolution No. 2012-023, adopted on February 14, 2012, the City Council, acting as the governing board for the Successor Agency, established rules and regulations applicable to the governance and operation of the Successor Agency, and pursuant to such resolution provided that the Successor Agency will be governed by a Board of Directors (the "Board") consisting of the members of the City Council of the City; and

WHEREAS, Health and Safety Code Section 34177(l), as modified by the California Supreme Court, provides that the Successor Agency must prepare a Recognized Obligation Payment Schedule for each calendar 6-month period for the enforceable obligations of the former Redevelopment Agency, in accordance with the requirements of paragraph (l). The schedule must be reviewed and certified, as to its accuracy, by an external auditor designated at the county auditor-controller's direction pursuant to Health and Safety Code Section 34182. The certified Recognized Obligation Payment Schedule must be submitted to and approved by the Oversight Board. Finally, after approval by the Oversight Board, a copy of the approved Recognized Obligation Payment Schedule must be submitted to the county auditor-controller, the State Controller and the State Department of Finance ("DOF"), and be posted on the Successor Agency's web site; and

WHEREAS, Agency Staff was notified by the CA Department of Finance of certain changes that needed to be made to the January – June 2012 ROPS before the ROPS would be approved by DOF; and

WHEREAS, accordingly, the Board desires to adopt this Resolution approving an Amended Recognized Obligation Payment Schedule for January – June 2012 in accordance with the above paragraph.

NOW, THEREFORE, the Board of Directors of the Successor Agency to the Turlock Redevelopment Agency hereby finds, determines, resolves, and orders as follows:

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. This Resolution is adopted pursuant to Health and Safety Code Section 34177.

Section 3. The Board hereby approves the Amended Recognized Obligation Payment Schedule for January – June 2012 substantially in the form attached as Exhibit A to this Resolution and incorporated herein by reference (the "ROPS"). The Executive Director of the Successor Agency, in consultation with the Successor Agency's legal counsel, may modify the ROPS as the Executive Director or the Successor Agency's legal counsel deems necessary or advisable.

Section 4. The Board hereby designates the Senior Accountant as the official to whom the DOF may make requests for review in connection with the ROPS and who shall provide the DOF with the telephone number and e-mail contact information for the purpose of communicating with the DOF.

Section 5. The officers and staff of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution, including submitting the certified Recognized Obligation Payment Schedule to the oversight board for approval, and any such actions previously taken by such officers are hereby ratified and confirmed.

PASSED AND ADOPTED at a special meeting of the Successor Agency to the Turlock Redevelopment Agency this _____ day of _____, 2012, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Kellie E. Weaver
City Clerk, City of Turlock, County
of Stanislaus, State of California

AMENDED INITIAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					Total
					Jan 2012	Feb 2012	March 2012	April 2012	May 2012	
1) Section 33676 Payments (1)	City of Turlock	Payments per former CRL 33676	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
2) Section 33676 Payments (1)	Turlock Irrigation Dist	Payments per former CRL 33676	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
3) Section 33676 Payments (1)	Turlock Joint USD	Payments per former CRL 33676	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
4) Section 33676 Payments (1)	Turlock Rural Fire District	Payments per former CRL 33676	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
5) Pass Through Agreement (1)	County Fire Service	Payments per former CRL 33401	This item is administered with assistance by the County. This schedule will be updated as perline info is received from the County.							\$ -
6) Pass Through Agreement (1)	Stanislaus COE	Payments per former CRL 33401	This item is administered with assistance by the County. This schedule will be updated as perline info is received from the County.							\$ -
7) Pass Through Agreement (1)	Stanislaus County	Payments per former CRL 33401	This item is administered with assistance by the County. This schedule will be updated as perline info is received from the County.							\$ -
8) Pass Through Agreement (1)	Turlock Mosq Abate Dist	Payments per former CRL 33401	This item is administered with assistance by the County. This schedule will be updated as perline info is received from the County.							\$ -
9) Pass Through Agreement (1)	Yosemite CCD	Payments per former CRL 33401	This item is administered with assistance by the County. This schedule will be updated as perline info is received from the County.							\$ -
10) Statutory Payments (1)	Chatom Elem. District	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
11) Statutory Payments (1)	City of Turlock	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
12) Statutory Payments (1)	County Fire Service	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
13) Statutory Payments (1)	Stanislaus COE	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
14) Statutory Payments (1)	Stanislaus County	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
15) Statutory Payments (1)	Turlock Irrigation Dist	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
16) Statutory Payments (1)	Turlock Joint USD	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
17) Statutory Payments (1)	Turlock Mosq Abate Dist	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
18) Statutory Payments (1)	Turlock Rural Fire District	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
19) Statutory Payments (1)	Yosemite CCD	Payments per CRL 33607.5 and .7	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
20)										\$ -
21) County property tax admin fee	Stanislaus County	County property tax admin fee	This item is administered by the County. This schedule will be updated as perline info is received from the County.							\$ -
22)										\$ -
1)										\$ -
2)										\$ -
3)										\$ -
4)										\$ -
5)										\$ -
Total - Page 3			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

(1) Statutory and negotiated pass through payments as well as Section 33676 elections have been subordinated to the bonded debt payments shown on page 1.

*** All payment amounts are estimates

**BEFORE THE SUCCESOR AGENCY TO THE
TURLOCK REDEVELOPMENT AGENCY**

**IN THE MATTER OF APPROVING A } RESOLUTION NO. SA-RDA-2012-_____
RECOGNIZED OBLIGATION PAYMENT }
SCHEDULE FOR JULY – DECEMBER 2012 }
PURSUANT TO HEALTH AND SAFETY CODE }
SECTION 34177 AND TAKING CERTAIN }
ACTIONS IN CONNECTION THEREWITH }
_____ }**

WHEREAS, AB X1 26 and AB X1 27 were signed by the Governor of California on June 29, 2011, making certain changes to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "Redevelopment Law"), including adding Part 1.8 (commencing with Section 34161) ("Part 1.8") and Part 1.85 (commencing with Section 34170) ("Part 1.85"); 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. S194861)) alleging that AB X1 26 and AB X1 27 are unconstitutional. On December 29, 2011, the Supreme Court issued its opinion in the Matosantos case largely upholding AB X1 26, invalidating AB X1 27, and holding that AB X1 26 may be severed from AB X1 27 and enforced independently; and

WHEREAS, the Supreme Court generally revised the effective dates and deadlines for performance of obligations in Part 1.85 arising before May 1, 2012, to take effect four months later; and

WHEREAS, as a result of the Supreme Court's decision, the Turlock Redevelopment Agency (the "Redevelopment Agency"), a redevelopment agency in the City of Turlock (the "City"), created pursuant to the Redevelopment Law, was dissolved pursuant to Part 1.85 on February 1, 2012; and

WHEREAS, by its Resolution No. 2012-009, adopted on January 10, 2012, the City Council of the City made an election to serve as the successor agency for the Redevelopment Agency under Part 1.85 (the "Successor Agency"); and

WHEREAS, by its Resolution No. 2012-023, adopted on February 14, 2012, the City Council, acting as the governing board for the Successor Agency, established rules and regulations applicable to the governance and operation of the Successor Agency, and pursuant to such resolution provided that the Successor Agency will be governed by a Board of Directors (the "Board") consisting of the members of the City Council of the City; and

WHEREAS, Health and Safety Code Section 34177(l), as modified by the California Supreme Court, provides that the Successor Agency must prepare a Recognized Obligation Payment Schedule for each calendar 6-month period for the enforceable obligations of the former Redevelopment Agency, in accordance with the requirements of paragraph (l). The schedule must be reviewed and certified, as to its accuracy, by an external auditor designated at the county auditor-controller's direction pursuant to Health and Safety Code Section 34182. The certified Recognized Obligation Payment Schedule must be submitted to and approved by the Oversight Board. Finally, after approval by the Oversight Board, a copy of the approved Recognized Obligation Payment Schedule must be submitted to the county auditor-controller, the State Controller and the State Department of Finance ("DOF"), and be posted on the Successor Agency's web site; and

WHEREAS, accordingly, the Board desires to adopt this Resolution approving a Recognized Obligation Payment Schedule for July – December 2012 in accordance with the above paragraph.

NOW, THEREFORE, the Board of Directors of the Successor Agency to the Turlock Redevelopment Agency hereby finds, determines, resolves, and orders as follows:

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. This Resolution is adopted pursuant to Health and Safety Code Section 34177.

Section 3. The Board hereby approves the Recognized Obligation Payment Schedule for July – December 2012 substantially in the form attached as Exhibit A to this Resolution and incorporated herein by reference (the "ROPS"). The Executive Director of the Successor Agency, in consultation with the Successor Agency's legal counsel, may modify the ROPS as the Executive Director or the Successor Agency's legal counsel deems necessary or advisable.

Section 4. The Board hereby designates the Senior Accountant as the official to whom the DOF may make requests for review in connection with the ROPS and who shall provide the DOF with the telephone number and e-mail contact information for the purpose of communicating with the DOF.

Section 5. The officers and staff of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution, including submitting the certified Recognized Obligation Payment Schedule to the oversight board for approval, and any such actions previously taken by such officers are hereby ratified and confirmed.

PASSED AND ADOPTED at a special meeting of the Successor Agency to the Turlock Redevelopment Agency this _____ day of _____, 2012, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Kellie E. Weaver
City Clerk, City of Turlock, County
of Stanislaus, State of California

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177

Project Name / Debt Obligation	Payee	Date	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Anticipated Payment Source	Payments by month					Total
							July 2012	August 2012	Sept 2012	Oct 2012	Nov 2012	
1) 1999 Tax Incremental Bonds (1)	US Bank	March 1999	proceeds used for non-housing projects	4,300,756.25	337,747.50	RPTTF						78,873.75
2) 2006 Tax Incremental Bonds (1)	US Bank	Aug 2006	proceeds used for non-housing projects	42,137,385.73	1,548,616.26	RPTTF						558,308.13
3) 2011 Tax Incremental Bonds (1)	US Bank	Feb 2011	proceeds used for non-housing projects	37,174,753.18	1,059,143.76	RPTTF						534,571.88
4)												
5) Public Safety Facility	Ross F Carroll, Inc	Feb 2011	off-site improvements	158,882.85	158,882.85	(2) see below	30,000.00	50,000.00	30,000.00	30,000.00	18,000.00	18,000.00
6) Public Safety Facility	Diede Construction, Inc	Feb 2011	general & specialties	1,979,059.50	1,979,059.50	(2) see below	45,000.00	22,500.00	193,500.00	157,500.00	247,500.00	859,500.00
7) Public Safety Facility	Diede Construction, Inc	Feb 2011	doors, windows & hardware	1,082,882.70	1,082,882.70	(2) see below	90,000.00	90,000.00	72,000.00	45,000.00	38,000.00	378,000.00
8) Public Safety Facility	Bank of Ag & Commerce	Feb 2011	retention for Diede Construction, Inc	340,215.80	340,215.80	(2) see below	15,000.00	12,500.00	29,500.00	26,500.00	22,500.00	137,500.00
9) Public Safety Facility	George Reed Inc	Feb 2011	demo, grading and paving	726,266.56	726,266.56	(2) see below	50,000.00					50,000.00
10) Public Safety Facility	Modern Building Co	Feb 2011	building structural concrete	548,062.70	548,062.70	(2) see below						0.00
11) Public Safety Facility	Dukey's Landscaping, Inc	Feb 2011	landscaping	188,920.87	188,920.87	(2) see below		20,000.00	20,000.00	20,000.00	30,000.00	160,000.00
12) Public Safety Facility	Frazier Masonry	Feb 2011	masonry	1,124,208.50	1,124,208.50	(2) see below	175,000.00	200,000.00				375,000.00
13) Public Safety Facility	Golden State Steel	Feb 2011	structural steel	187,866.04	187,866.04	(2) see below			9,000.00			18,000.00
14) Public Safety Facility	Central Valley Comm Bank	Feb 2011	retention for Golden State Steel	21,892.91	21,892.91	(2) see below		1,000.00	1,000.00			2,000.00
15) Public Safety Facility	Tarleton & Son	Feb 2011	framing, drywall & plaster	2,109,408.50	2,109,408.50	(2) see below	275,000.00	275,000.00	275,000.00			825,000.00
16) Public Safety Facility	Graham/Prewitt	Feb 2011	roofing and waterproofing	584,601.40	584,601.40	(2) see below	25,000.00					25,000.00
17) Public Safety Facility	LVI Faculty Services	Feb 2011	fireproofing	170,410.00	170,410.00	(2) see below	48,000.00					48,000.00
18) Public Safety Facility	DC Vient, Inc	Feb 2011	painting & wall coverings	292,660.20	292,660.20	(2) see below			50,000.00	50,000.00	100,000.00	200,000.00
19) Public Safety Facility	Bobo construction	Feb 2011	mechanical & HVAC	1,615,364.80	1,615,364.80	(2) see below	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	600,000.00
20) Public Safety Facility	Darrale Palfrics Elec.	Feb 2011	building and site electrical	3,007,189.30	3,007,189.30	(2) see below	280,000.00	280,000.00	200,000.00	100,000.00	175,000.00	1,285,000.00
21) Public Safety Facility	Mark III Construction	Feb 2011	building and site plumbing	513,678.50	513,678.50	(2) see below	30,000.00	30,000.00	30,000.00	40,000.00	30,000.00	220,000.00
22) Public Safety Facility	Kone Elevators	Feb 2011	elevators	197,316.00	197,316.00	(2) see below	45,000.00	25,000.00	25,000.00			95,000.00
23) Public Safety Facility	Sen-Cal Fire Systems	Feb 2011	fire protection	185,337.83	185,337.83	(2) see below	20,000.00	20,000.00	15,000.00	10,000.00	7,000.00	84,000.00
24) Public Safety Facility	WLC	Apr 2008	architect and construction management	1,409,469.57	1,409,469.57	(2) see below	110,000.00	110,000.00	110,000.00	110,000.00	110,000.00	770,000.00
25) Public Safety Facility	Koehn Engineering & Design	May 2011	parcel map/ret line adjustment	1,950.00	1,950.00	(2) see below	1,950.00					1,950.00
26) Public Safety Facility	Kleinholder West, Inc	Apr 2011	testing	34,643.50	34,643.50	(2) see below	5,000.00					5,000.00
27) Public Safety Facility	Neil O Anderson & Assoc	Mar 2011	testing	70,652.00	70,652.00	(2) see below						0.00
28) Public Safety Facility	City of Turlock	on-going	contract mgmt & inspection	352,500.00	352,500.00	(2) see below	23,500.00	23,500.00	23,500.00	23,500.00	23,500.00	164,500.00
29) Public Safety Facility	Forward Inc/Republic Svcs	Sept 2011	soils disposal	3,340.40	3,340.40	(2) see below						0.00
			Total Contracts for Public Safety Facility	16,906,850.53	16,906,850.53		1,368,450.00	1,268,500.00	1,133,500.00	748,500.00	768,500.00	6,467,450.00
			Funding sources for total contracts				369,482.00	342,495.00	306,045.00	202,095.00	207,495.00	1,744,592.00
							684,755.00	623,765.00	541,435.00	306,585.00	318,785.00	3,041,485.00
							314,213.00	302,220.00	286,020.00	239,820.00	242,220.00	1,675,373.00
Totals - This Page				100,519,745.69	19,860,358.05		1,368,450.00	1,268,500.00	1,133,500.00	748,500.00	768,500.00	6,467,450.00
Totals - Page 2				6,333,058.00	1,443,753.00		1,098,888.00	29,535.00	36,035.00	33,535.00	66,070.00	1,293,598.00
Totals - Page 3							0.00	0.00	0.00	0.00	0.00	0.00
Grand total - All Pages				106,852,803.69	21,304,111.05		2,467,338.00	1,298,035.00	1,169,535.00	792,035.00	798,035.00	8,928,801.76

RPTTF = Redevelopment Property Tax Trust Fund
 (1) Bond documents require one year's debt service be set aside before tax revenues can be released for any other purpose. In addition, various statutory and negotiated pass through payments as well as Section 34576 elections have been subordinated to the debt payments related to these bond issuances.

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177

Project Name / Debt Obligation	Payee	Date	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Anticipated Payment Source	Payments by month					Total	
							July 2012	August 2012	Sept 2012	Oct 2012	Nov 2012		Dec 2012
1) Mobile Home Rental Subsidy	JCS Properties Inc	April 2007	mobile home rental subsidy	24,000.00	24,000.00	RPTTF	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	4,000.00	14,000.00
2) Mobile Home Rental Subsidy	Magic Sands Mobile Home	May 2007	mobile home rental subsidy	3,300.00	3,300.00	RPTTF	275.00	275.00	275.00	275.00	275.00	550.00	1,925.00
3) Mobile Home Rental Subsidy	Mulberry Mobile Park	April 2007	mobile home rental subsidy	1,500.00	1,500.00	RPTTF	125.00	125.00	125.00	125.00	125.00	250.00	875.00
4) Mobile Home Rental Subsidy	Western View Mobile Ranch	April 2007	mobile home rental subsidy	36,000.00	36,000.00	RPTTF	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	6,000.00	21,000.00
5) Mobile Home Rental Subsidy	Westfork Estates	April 2007	mobile home rental subsidy	8,400.00	8,400.00	RPTTF	700.00	700.00	700.00	700.00	700.00	1,400.00	4,900.00
6) Contract admin for MHRS prog	Successor Agency Staff		Staff time to collect monthly supporting documents and annual verifications	12,000.00	12,000.00	RPTTF	5,400.00	600.00	600.00	600.00	600.00	1,200.00	9,000.00
7) Annual Audit	Caportect & Larson	up for renewal	audit services	7,000.00	7,000.00	RPTTF						7,000.00	7,000.00
8) DDA	Avena Bella - Phase II	Apr 2011	low- & med-income housing project	4,000,000.00	0.00	RPTTF							0.00
9) Econ Dev Proj Funding Agmt	Stan City Economic Development Land Bank	Jan 2008	loan repayment	889,305.00	0.00	RPTTF							0.00
10) Contract admin - Avena Bella	Successor Agency Staff		Staff time for contract and construction admin of phase I	24,000.00	24,000.00	RPTTF	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	4,000.00	14,000.00
11) Trustee Services	U.S. Bank	annual work	trustee services for outstanding bond issuances	12,000.00	12,000.00	RPTTF	4,000.00		4,000.00				12,000.00
12) Arbitrage Rebale Services	BLX Group Inc	annual work	annual arbitrage rebale report for each outstanding bond issuance	7,500.00	7,500.00	RPTTF	2,500.00		2,500.00				5,000.00
13) Pass Through	Yosemite Com College Dist		amounts held pursuant to negotiated pass through agreements	964,952.00	964,952.00	reserves	964,952.00						964,952.00
14) Pass Through	Stan City Office of Ed		amounts held pursuant to negotiated pass through agreements	93,101.00	93,101.00	reserves	93,101.00						93,101.00
15)													0.00
16) Annual Administration													0.00
17) includes successor agency staff (other than specific project time)			supplies, meetings, utilities, vehicle, IT,	250,000.00	250,000.00	Admin Allow	20,835.00	20,835.00	20,835.00	20,835.00	20,835.00	41,670.00	145,845.00
18) advertising and non-project specific legal services.													0.00
19)													0.00
													0.00
													0.00
													0.00
Totals - This Page				6,333,059.00	1,443,753.00		1,096,886.00	29,535.00	36,035.00	33,535.00	29,535.00	66,070.00	1,293,596.00

* RPTTF = Redevelopment Property Tax Trust Fund

