

Oversight Board of the Successor Agency  
to the Redevelopment Agency of the City of Santa Cruz  
809 Center Street  
Santa Cruz, CA 95060



## OVERSIGHT BOARD AGENDA

### Regular Meeting

February 28, 2013

9:30 A.M. CONSENT AND GENERAL BUSINESS, COUNCIL CHAMBERS

#### Call to Order

#### Roll Call

- Hilary Bryant, City of Santa Cruz Mayor
- Neal Coonerty, Santa Cruz County Supervisor, District 3
- J. Guevara, former Redevelopment Employee, Mid-Managers Association
- Doug Ley, Parking District Representative
- Cynthia Mathews, Public Member-at-Large
- Alvaro Meza, Assistant Superintendent, Santa Cruz County Office of Education
- Rachael Spencer, Cabrillo College Trustee

#### Administrative Business

**Presentations:** Successor Agency Update: Bonnie Lipscomb, Director of Successor Agency

#### Additions and Deletions

#### Consent Agenda

1. Approve Minutes for the January 10, 2013 Oversight Board Meeting

#### General Business

2. Approve Recognized Obligation Payment Schedule 13-14A for the period July 1, 2013 through December 31, 2013

Resolution to approve as Submitted.

3. Approve Cost-Sharing Agreement amongst Taxing Entities for Outside Legal Counsel

Resolution to approve as Submitted.

**Oral Communications**

**Adjournment**

**Next Scheduled Meeting**

Tentatively scheduled for May 16, 2013 at 9:30AM

February 5, 2013

Oversight Board to the Successor Agency of the City of Santa Cruz  
337 Locust Street  
Santa Cruz, CA 95060

**CONSENT AGENDA AND GENERAL BUSINESS RECOMMENDATIONS  
FOR THE FEBRUARY 28, 2013, REGULAR MEETING OF THE OVERSIGHT BOARD**

Dear Oversight Board Members:

This letter serves as a comprehensive staff report to the Oversight Board of the Successor Agency of the City of Santa Cruz for all agenda items for the Regular Meeting of the Oversight Board on Wednesday, February 28, 2013.

**Consent Agenda**

**2. Minutes of the January 10, 2013 Oversight Board Meeting**

Recommended Action: Resolution to approve as submitted.

**General Business**

**3. Approve Recognized Obligation Payment Schedule for January 1, 2013 through June 31, 2013 (ROPS 13-14A)**

Recommended Action: Resolution to approve resolution as submitted.

On August 23, 2012, the Oversight Board approved the ROPS for January 1, 2013 through June 30, 2013 (i.e. ROPS 3), which did not include unforeseen costs regarding the statutory Due Diligence Reviews, Tannery Arts Center change orders, and Outside Legal Counsel items. Since Council was not in session in August 2012, Council later approved and adopted ROPS 3 with amendments on September 25, 2012. The Department of Finance (DOF) advised the Successor Agency staff to submit an amended ROPS 3; however, DOF later countermanded this direction and stated they would not accept any amended ROPS. Staff requested a Meet and Confer meeting with DOF staff and explained the merits of the amendments as valid debt obligations on November 2, 2012. While DOF staff was accommodating throughout the meeting, DOF determined on December 18, 2012 to deny all amended items as well as project delivery costs for affordable housing.

ROPS 13-14A includes all the items that were added to previously amended ROPS in the Successor Agency's continued effort to assert the validity of several debt obligations that the DOF has denied for technical reasons or has advised staff to add to the ROPS 13-14A. These items include:

- Change order for the Tannery Arts Center Campus project (Kron House), which the City provided a bridge loan up to \$62,661 due to the timing of ROPS 2 and ROPS 3
- Change order for repairing a damaged retaining wall caused by an uninsured truck at the Tannery Arts Center for \$3,000
- Due Diligence Reviews up to \$20,000 as required by AB 1484 for the Low and Moderate Income Housing Funds and all Non-Low and Moderate Income Housing Funds
- Small Business Development Center contract for services for \$25,000, left off of ROPS 3 due to clerical error, with a contract executed prior to June 27, 2011
- Renne Sloan Holtzman Sakai, LLP as outside legal counsel to the Oversight Board for up to \$10,000
- Low and Moderate Income Housing Project Delivery for \$87,299
- 110 Lindberg Street Project Delivery for \$185,000
- Del Mar Theatre exterior painting for \$150,000

Staff expects that some of these items will be approved but many will be rejected by DOF.

After the Due Diligence Reviews required by AB 1484, all future ROPS must be approved by the Oversight Board and submitted to the DOF no less than 90 days before the property tax distribution dates of January 2 and June 1 each year. To meet this deadline, the Oversight Board must review and submit ROPS 13-14A no later than February 28, 2013.

#### 4. Approve Outside Legal Counsel Cost Sharing

Recommended Action: Resolution to approve resolution as submitted.

At the January 10, 2013 meeting six of the seven represented taxing entities on the Oversight Board submitted letters approving the cost-sharing plan for retaining David Kahn of Renne Sloane Holtzman Sakai, LLP as outside legal counsel. Oversight Board Member Coonerty, representing the County of Santa Cruz, was unable to provide a letter agreeing to the cost-sharing arrangement. Since then the County Administrator has informed Successor Agency staff that the County will not agree to any cost-sharing plan. However, they will not object to any outside legal costs that are approved through the ROPS process and validated by DOF. If DOF rejects the outside legal costs on ROPS 13-14A staff will return to the Oversight Board at a future date for further discussion.

Sincerely,

Bonnie Lipscomb  
Director of Economic Development

Oversight Board of the Successor Agency  
to the Redevelopment Agency of the City of Santa Cruz  
809 Center Street  
Santa Cruz, CA 95060



## DRAFT MINUTES OF THE OVERSIGHT BOARD MEETING

### Regular Meeting

January 10, 2013

9:30 A.M. CONSENT AND GENERAL BUSINESS, COUNCIL CHAMBERS

#### Call to Order

Clerk Bren Lehr called the meeting to order at 9:36 a.m. in the Council Chambers.

#### Roll Call

Present: Board Members Bryant, Coonerty, Guevara, and Meza; Chair Mathews

Absent: Board Members Spencer; Vice Chair Ley

Staff: Economic Development Director B. Lipscomb, Assistant Finance Director, Cheryl Fyfe, and Accountant Ralph Reader

#### Administrative Business

**Presentation:** Successor Agency Update: Bonnie Lipscomb, Director of Successor Agency

#### Additions and Deletions - NONE

#### Consent Agenda

##### 1. Approve Minutes for the December 13, 2012 Oversight Board Meeting

Chair Mathews opened the public comment period. There were no speakers. Chair Mathews closed the public comment period.

**ACTION:** Motion by Bryant, second by Coonerty, and carried by a 5:0:2 vote (Spencer and Ley absent); the Board Members approved the Consent Agenda.

## General Business

### 2. Approve Due Diligence Review for Non-Low and Moderate Income Housing Funds

Resolution to approve as Submitted.

Chair Mathews opened the public comment period. There were no speakers. Chair Mathews closed the public comment period.

**ACTION:** Motion by Meza, second by Guevara, and carried by a 5:0:2 vote (Spencer and Ley absent); the Board Members approved Resolution No. OBSA-8 approving the Due Diligence Review for Non-Low and Moderate Income Housing Funds.

### 3. Approve Cost-Sharing Agreement amongst Taxing Entities for Outside Legal Counsel

Resolution to approve as Submitted.

Chair Mathews opened the public comment period. There were no speakers. Chair Mathews closed the public comment period.

**ACTION:** Motion by Guevara, second by Bryant, and carried by a 5:0:2 vote (Spencer and Ley absent); the Board Members continued this item to the next scheduled meeting on February 28, 2013.

**Oral Communications - NONE**

**Adjournment - At 9:49 a.m.**

APPROVED: \_\_\_\_\_  
Chair

ATTEST: \_\_\_\_\_  
Clerk

## SUCCESSOR AGENCY CONTACT INFORMATION

### Successor Agency

ID: **338**  
County: **Santa Cruz**  
Successor Agency: **Santa Cruz City**

### Primary Contact

Honorific (Ms, Mr, Mrs)	
First Name	<b>Bonnie</b>
Last Name	<b>Lipscomb</b>
Title	<b>Executive Director</b>
Address	<b>337 Locust Street</b>
City	<b>Santa Cruz</b>
State	<b>CA</b>
Zip	<b>95060</b>
Phone Number	<b>831-420-5159</b>
Email Address	<b><a href="mailto:blipscomb@cityofsantacruz.com">blipscomb@cityofsantacruz.com</a></b>

### Secondary Contact

Honorific (Ms, Mr, Mrs)	
First Name	<b>Kim</b>
Last Name	<b>Wigley</b>
Title	<b>Senior Accountant</b>
Phone Number	<b>831-420-5065</b>
Email Address	<b><a href="mailto:kwigley@cityofsantacruz.com">kwigley@cityofsantacruz.com</a></b>

**SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE**

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: **SANTA CRUZ CITY (SANTA CRUZ)**

<b>Outstanding Debt or Obligation</b>	<b>Total</b>
Total Outstanding Debt or Obligation	\$64,913,124

<b>Current Period Outstanding Debt or Obligation</b>	<b>Six-Month Total</b>
A Available Revenues Other Than Anticipated RPTTF Funding	\$210,109
B Enforceable Obligations Funded with RPTTF	\$4,284,081
C Administrative Allowance Funded with RPTTF	\$125,000
D Total RPTTF Funded (B + C = D)	\$4,409,081
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$4,619,190
F Enter Total Six-Month Anticipated RPTTF Funding	\$4,409,081
G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	\$0

**Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))**

H Enter Estimated Obligations Funded by RPTTF <i>(lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)</i>	\$3,269,382
I Enter Actual Obligations Paid with RPTTF	\$3,146,629
J Enter Actual Administrative Expenses Paid with RPTTF	\$127,453
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$0
L Adjustment to RPTTF (D - K = L)	\$4,409,081

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 \_\_\_\_\_

/s/ \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**SANTA CRUZ CITY (SANTA CRUZ)**  
**RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A)**  
July 1, 2013 through December 31, 2013

Oversight Board Approval Date: \_\_\_\_\_

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 2013-14	Funding Source					
									Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
1	2004 Tax Allocation Bonds	4/1/2005	10/1/2031	Bank of New York	Bond issue to fund projects	Merged	\$64,913,124	\$6,267,218	\$0	\$210,109	\$125,000	\$4,284,081	\$0	\$4,619,190
2	2011 A Housing Bonds	3/7/2011	10/1/2024	BNY/JP Morgan	Bonds issued to fund housing projects	Merged	11,010,885	922,825	0	0	0	240,699	0	240,699
3	2011 B Non Housing Taxable	3/7/2011	10/1/2026	BNY/JP Morgan	Bonds issued to fund projects	Merged	28,989,866	2,087,923	0	0	0	686,079	0	686,079
4	2011 C Non Housing Tax Exempt	3/7/2011	10/1/2026	BNY/JP Morgan	Bonds issued to fund projects	Merged	9,386,933	674,373	0	0	0	1,488,259	0	1,488,259
5	Bond expenses			Bank of New York	Bond Trustee Fees 14-19 years	Merged	118,496	8,464	0	0	0	2,247	0	2,247
6	1010 Pacific OPA	1/18/2002	11/12/2033	1010 Pacific Investors	Payments per OPA	Merged	2,935,116	163,062	0	0	0	81,531	0	81,531
7	1280 Shaffer OPA	1/18/2002	11/12/2033	1280 Shaffer Rd Inv.	Payments per OPA	Merged	4,551,480	252,860	0	0	0	126,430	0	126,430
8	Chestnut LLC OPA	7/11/2000	11/12/2033	Developer Deferred City Fees	Payments per OPA	Merged	251,757	116,261	0	0	0	58,130	0	58,130
15	MBUACPD-Powertrain R & D (Zero)	3/8/2011	3/8/2013	Zero Motorcycles	Grant Agreement-Pass through	Merged	0	0	0	0	0	0	0	0
16	MBUAD-Trolley Grant Agreement	1/12/2012	1/12/2014	Trolley Consortium/bid dependent	Grant Agreement-Pass through	Merged	0	0	0	0	0	0	0	0
30	EDA/CCHE Grant Agmt.	9/30/2009		Various (bid dependent)	TDMC-Kron landscaping	Merged	0	0	0	0	0	0	0	0
34	EDA/CCHE Grant Agmt.	9/30/2009		Tannery Arts Center	TDMC-Space 110 Space Costs -no tenant	Merged	7,500	15,000	0	0	0	7,500	0	7,500
45	Del Mar Property Management			Various - TBD	Del Mar Facility maintenance & mgmt	Merged	7,000	14,000	0	0	0	7,000	0	7,000
47	Del Mar Property Management			Various (bid dependent)	Del Mar Theater exterior painting	Merged	150,000	150,000	0	0	0	150,000	0	150,000
49	Del Mar Parking Lot 7 Reconst.	7/1/2007		City-Public Works	Capital Project	Merged	0	0	0	0	0	0	0	0
66	Trolley Agreement	3/7/2011		Kimley-Horn and Associates, Inc.	Contract for professional services	Merged	15,065	15,065	0	0	0	15,065	0	15,065
67	Trolley Repairs	6/13/2011		Santa Cruz Trolley Consortium	Contract for professional services	Merged	0	0	0	0	0	0	0	0
69	Lower Pacific Avenue Parking Study	3/9/2011		Kimley-Horn and Associates, Inc.	Economic Development	Merged	37,048	37,048	0	0	0	37,048	0	37,048
70	Lower Pacific Avenue Parking Study	2/16/2011		Marquez, Ron	Economic Development	Merged	1,640	1,640	0	0	0	1,640	0	1,640
72	Pacific Avenue (Beach Area) Streetscape	9/27/2006		City-Public Works	Capital Project	Merged	0	0	0	0	0	0	0	0
86	Downtown Directory Sign Program	3/10/2011		Type Factory	Contract - Downtown directory program	Merged	0	0	0	0	0	0	0	0
103	Graffiti Abatement Program	3/1/2011	6/30/2013	City, Graffiti Protective Coatings, Inc.	Contract for graffiti removal	Merged	0	0	0	0	0	0	0	0
133	LMIH Project Mgmt & Delivery			City of Santa Cruz	Project Mgmt & Delivery, Planning	Merged	0	0	0	0	0	0	0	0
135	Admin Employee Costs			City of Santa Cruz	Staff Payroll Costs	Merged	0	188,000	0	0	94,000	0	0	94,000
136	Admin City Support Services			City of Santa Cruz	City Mgr, Clerk, Finance, HR, IT	Merged	0	24,000	0	0	12,000	0	0	12,000
139	Admin Facilities			Various	Rent, Utilities, Maintenance	Merged	0	19,000	0	0	9,500	0	0	9,500
140	Admin Meetings, Noticing, Travel			Various	Meetings, Training, Travel, Official Notices	Merged	0	400	0	0	200	0	0	200
141	Admin supplies			Various	Office supplies, postage	Merged	0	600	0	0	300	0	0	300
142	Admin Legal			BBK, City Attorney	Legal counsel, document review	Merged	0	8,000	0	0	4,000	0	0	4,000
143	Admin Audit			Lance Soll & Lunghard LLP	Audits	Merged	0	14,000	0	0	5,000	0	0	5,000
155	110 Lindberg Street Affordable Housing			City of Santa Cruz	Project Delivery Costs	Both	0	0	0	0	0	0	0	0
170	Oversight Board Legal Counsel			To be Determined	Legal counsel available to Oversight Board Members	Merged	0	0	0	0	0	0	0	0
35	EDA/CCHE Grant Agmt.	9/30/2009		CRW	TDMC - Kron House Construction - Change Order	Merged	62,661	62,661				62,661		62,661
133	LMIH Project Mgmt & Delivery			City of Santa Cruz	Project Mgmt & Delivery, Planning		174,599	174,599				87,299		87,299
155	110 Lindberg Street Affordable Housing			City of Santa Cruz	Project Delivery Costs		250,000	250,000				185,000		185,000
170	Oversight Board Legal Counsel			Renne Sloan Holtzman Sakai, LLP	Legal counsel available to Oversight Board members	Merged	10,000	10,000				10,000		10,000
171	AB 1484 Due Diligence Review	9/28/2012		Lance Soll & Lunghard LLP	Due diligence review required by AB 1484	Merged	11,000	11,000				11,000		11,000
18	Econ Dev Marketing Workplan	3/25/2011		Cabrillo-CC Small Bus Dev Ctr	Contract for Business Development Services	Merged	25,000	25,000				25,000		25,000
36	EDA/CCHE Grant Agmt.	9/30/2009		To be determined	River Street - Retaining Wall Cap Repair	Merged	3,000	3,000				3,000		3,000
21	EDA/CCHE Grant Agmt.			Mark Primack Architect, Inc.	TDMC-Space 110 Architectural Services	Merged	24,894	24,894				24,894		24,894
22	EDA/CCHE Grant Agmt.			To be determined	TDMC-Space 110 Architectural Services	Merged	25,000	25,000				25,000		25,000
25	EDA/CCHE Grant Agmt.			City Planning Dept.	TDMC-Space 110 Permit Fees	Merged	5,000	5,000				5,000		5,000
26	EDA/CCHE Grant Agmt.			Various (bid dependent)	TDMC-Space 110 Tenant Improvements	Merged	392,210	392,210				392,210		392,210
11	HWY 1/9 intersection Imprvmnts Phase I			City Public Works, Various	HWY 1/9 Improvements	Merged	110,109	110,109				110,109		110,109

Oversight Board Approval Date: \_\_\_\_\_

**SANTA CRUZ CITY (SANTA CRUZ)  
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A)  
July 1, 2013 through December 31, 2013**



## SANTA CRUZ CITY (SANTA CRUZ)

Pursuant to Health and Safety Code section 34186 (a)

## PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS

## RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS II)

July 1, 2012 through December 31, 2012

Item #	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
					\$87,300	\$89,976	\$5,186,280	\$0	\$127,836	\$689,840	\$125,000	\$127,453	\$3,144,382	\$3,146,629	\$597,458	\$70,446
9	Highway 1/9 Intersection Improvement Project PHASE I	Various, City Public Works	Project Delivery	Merged												
10	Highway 1/9 Intersection Improvement Project PHASE II	City Public Works, Various	Capital Project	Merged											434,908	0
11	Highway 1/9 Intersection Improvement Project PHASE II	City Public Works, Various	Highway 1/9 Intersection PHASE II	Merged			125,000	0	6,353	9,900						
12	Riverside Ave Improvements Phase I	City-Public Works	Capital Project	Merged												
13	Riverside Ave Improv Phase II	City-Public Works	Capital Project	Merged			268,553	0								
14	San Lorenzo River Bridge Replacement-Phase I	ACOM Technical Services	Capital Project	Merged												
15	San Lorenzo River Bridge Replacement-Phase I	Various	Capital Project	Merged			75,330	0	0	10,939						
16	San Lorenzo River Bridge Replacement-Phase I	Various	Capital Project	Merged			187,500	0								
17	Wharf Master Plan Phase I	(Moffatt & Nichol Engineers) City-R	Capital Project	Merged												
18	Wharf Capital Improv & Master Plan Phase II	Various	Capital Project	Merged			276,875	0								
19	Citywide Sign Program - Phase II (Design)	Various	Citywide Sign Program-design	Merged			155,499	0								
20	Citywide Sign Program - Phase II (Design)	Various	Capital Project	Merged												
21	Lower Pacific Avenue Improvements	Various	Capital Project	Merged			312,500	0								
22	Mural Project	Various	Capital Project	Merged			25,000	0								
23	Ocean Street Corridor Improvements	Various	Capital Project	Merged			312,500	0								
24	Pacific Station Project	Various	Capital Project	Merged			50,000	0								
25	River Street South Intersection Study	City Public Works, Various	Capital Project	Merged			62,500	0								
26	Series C Employee Costs	City of Santa Cruz	Project Mgmt & Delivery, Planning	Merged			750,000	0								
27	Series C Bond Project Mgmt & Delivery, Planning, Admin	City of Santa Cruz	Project Mgmt & Delivery, Planning	Merged			742,875	0								
1	Admin Employee Costs	City of Santa Cruz	Payroll	Merged							95,400	93,285				
2	Admin City Support Services	City of Santa Cruz	City Mgr, Clerk, Finance, HR, IT	Merged							11,448	11,958				
	Admin Insurance	City of Santa Cruz	Liability Insurance, surety bonds	Merged												
	Admin Telecommunication Charges	City of Santa Cruz	Telephone, networking, software	Merged												
3	Admin Facilities	Various	Rent, Utilities, Maintenance	Merged							9,000	11,043				
4	Admin Meetings, Noticing, Travel	Various	Meetings, Training, Travel, Official Notices	Merged							252	188				
5	Admin supplies	Various	Office supplies, postage	Merged							378	0				
6	Admin Legal	BBK, City Attorney	Legal counsel, document review	Merged							4,998	3,487				
7	Admin Audit	Lance Soll & Lungard LLP	Agency Audit for January 31, 2011	Merged							3,524	7,492				
10	Employee Costs	City of Santa Cruz	LMIH Payroll -Project Mgmt, Admin & Planning	Both	58,956	64,278										
11	Other Project, Admin, Planning costs	City of Santa Cruz	LMIH Admin & Mgmt (utilities; travel;overhead;etc)	Both	28,344	25,698										
4	Emergency Rent Program	Community Action Board	Contract for service	Both			100,000	0								
6	Rental / Security Deposit Asst	Santa Cruz Housing Auth	Contract for service	Both			75,000	0								
7	110 Lindberg Street Affordable Housing	For the Future of Housing, Inc.	LMIH Housing Project	Both												
9	Metro Center Housing	SCMTD	LMIH Housing Project	Both			965,000	0								
12	Other Bond Projects	City of Santa Cruz, Various	Project Delivery Costs	Both			250,000	0								
13-DR	Tannery Digital Media Center	ARC	Property Expenses	Merged					0	158						
18-DR	Tannery Digital Media Center	John Stewart Company	Property Management	Merged					0	3,362						
11-DR	Tannery Digital Media Center	Carey & Company	Kron House Architect	Merged					0	905						
23-DR	Tannery Digital Media Center	City of Santa Cruz	Kron House Permit Fees	Merged					0	624						
10-DR	Tannery Digital Media Center	Labor Consultants	Kron House Wage Monitoring	Merged					0	6,750						
17-DR	Tannery Digital Media Center	HP Inspections	Kron House Inspections	Merged					0	2,605						

### SANTA CRUZ CITY (SANTA CRUZ)

Pursuant to Health and Safety Code section 34186 (a)

**PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS**

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS II)**

July 1, 2012 through December 31, 2012

**SANTA CRUZ CITY (SANTA CRUZ)**  
**RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)**

RESOLUTION NO. OBSA-9

RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SANTA CRUZ APPROVING THE ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY FOR JULY 1, 2013-DECEMBER 31, 2013 AND THE RECOGNIZED OBLIGATION SCHEDULE FOR JULY 1, 2013-DECEMBER 31, 2013

WHEREAS, the Successor Agency to the former Redevelopment Agency has prepared pursuant to ABx1 26 and AB 1484 Recognized Obligation Payment Schedules (ROPS) and corresponding administrative budgets for each respective six-month period; and

WHEREAS, the ROPS and the corresponding administrative budget for the January 1, 2013-June 30, 2013 period has hereby been prepared for consideration by the Oversight Board; and

WHEREAS, the ROPS for the July 1, 2013-December 31, 2013 period (ROPS 13-14A) reflects change order increases for the Kron House currently under construction at the Tannery Arts Center for consideration by the Oversight Board; and

WHEREAS, the ROPS for the July 1, 2013-December 31, 2013 period (ROPS 13-14A) reflects several additional increases for valid debt obligations including funding for the Low and Moderate Income Housing Fund Due Diligence Review and the Non-Low and Moderate Income Fund Due Diligence Review recently completed, repair costs resulting from an uninsured vehicle accident at the Tannery Arts Center property, carry over costs from a previously approved ROPS for the existing contract with the Small Business Development Center, costs for outside legal counsel, Low and Moderate Income Project Delivery costs, 110 Lindberg Street Project Delivery costs, and Del Mar Theatre exterior painting; and

WHEREAS, the Successor Agency approved the proposed budget adjustments and amended ROPS for the period July 1, 2013-December 31, 2013 (ROPS 13-14A) at its meeting on February 26, 2013; and

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board to the Successor Agency of the former Redevelopment Agency of the City of Santa Cruz that the Oversight Board hereby approves the ROPS and corresponding administrative budget for period July 1, 2013-December 31, 2013.

PASSED AND ADOPTED this 28<sup>th</sup> of February, 2013 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Chair

ATTEST: \_\_\_\_\_  
City Clerk Administrator

County of Santa Cruz	26.180%	\$2,618.00
Santa Cruz Elementary*	25.193%	\$2,519.33
City of Santa Cruz	20.880%	\$2,088.00
Santa Cruz High School*	16.0933%	\$1,609.33
Cabrillo College	7.080%	\$708.00
County Office of Education*	3.093%	\$309.34
Downtown Parking District	1.480%	\$148.00
TOTAL	100.000%	\$10,000.00

RESOLUTION NO. OBSA-10

RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SANTA CRUZ APPROVING THE COST-SHARING AMONGST TAXING ENTITIES FOR OUTSIDE LEGAL COUNSEL COSTS CHARGED TO THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF SANTA CRUZ

WHEREAS, the Successor Agency to the former Redevelopment Agency has prepared pursuant to ABx1 26 and AB 1484 Recognized Obligation Payment Schedules (ROPS) and corresponding administrative budgets for each respective six-month period; and

WHEREAS, Health and Safety Code Section 34177.3 (b) allows successor agencies to create enforceable obligations to conduct the work of winding down the redevelopment agency, including hiring staff, acquiring necessary professional administrative services and legal counsel, and procuring insurance; and

WHEREAS, the Oversight Board to the Successor Agency of the former Redevelopment Agency of the City of Santa Cruz amended and approved the Recognized Obligation Payment Schedule for January 1, 2013 to June 30, 2013 to include TEN THOUSAND DOLLARS (\$10,000) for potential Oversight Board legal counsel; and

WHEREAS, the Oversight Board to the Successor Agency of the former Redevelopment Agency of the City of Santa Cruz directed staff on August 23, 2012 to research and seek qualified legal professionals to potentially serve as independent legal counsel;

WHEREAS, the Oversight Board agreed by consensus at its October 11, 2012 meeting that taxing entities would share the potential cost of outside legal counsel if the California State Department of Finance does not allow the \$10,000 debt obligation on the ROPS for the period January 1, 2013 – June 30, 2013 (ROPS 3) or the ROPS for the period July 1, 2013 – December 31, 2013 (ROPS 4);

WHEREAS, the Oversight Board taxing entities agreed by consensus at its October 11, 2012 that cost-sharing is structured so that non-City taxing entities would pay their proportional share before the City would contribute to the additional outside legal counsel cost;

WHEREAS, the Oversight Board approved the retention of David Kahn as outside legal counsel to the Oversight Board at its regular meeting on December 13, 2012;

WHEREAS, the Oversight Board taxing entities have consulted with their respective agencies and have approved a cost-sharing agreement to retain outside legal counsel funding;

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board to the Successor Agency of the former Redevelopment Agency of the City of Santa Cruz that the Oversight Board hereby approves the cost-sharing structure amongst represented taxing entities where the retention of outside legal counsel is provided for in Health and Safety Code Section 34173 (h).

PASSED AND ADOPTED this 28<sup>th</sup> of February, 2013, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: \_\_\_\_\_  
Chair

ATTEST: \_\_\_\_\_  
City Clerk Administrator