

Oversight Board Resolution No. 2013-03

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF SOUTH GATE APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE 13-14A FOR THE SIX-MONTH FISCAL PERIOD OF JULY 1, 2013 TO DECEMBER 31, 2013, SUBJECT TO SUBMITTAL TO, AND REVIEW BY THE DOF PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 24, PART 1.85, AS AMENDED BY ASSEMBLY BILL 1484; AUTHORIZE POSTING AND TRANSMITTAL THEREOF; AND AUTHORIZE THE ASSISTANT CITY MANAGER/FINANCE DIRECTOR, IN CONSULTATION WITH LEGAL COUNSEL, TO REQUEST AND COMPLETE MEET AND CONFER SESSION(S) WITH THE DOF AND MAKE AUGMENTATIONS, MODIFICATIONS, ADDITIONS OR REVISIONS AS MAY BE NECESSARY OR DIRECTED BY DOF.

**WHEREAS**, the Community Development Commission of the City of South Gate ("former CDC") previously was a public body, corporate and politic formed, organized, existing and exercising its powers pursuant to Section 34100, *et seq.* of the California Health and Safety Code, and exercised the powers, authority, functions, and jurisdiction of a community redevelopment agency formed, organized, existing and exercising its powers pursuant to the California Community Redevelopment Law, Health and Safety Code, Section 33000, *et seq.* ("CRL"), and specifically formed by the City Council ("City Council") of the City of South Gate ("City"); and

**WHEREAS**, Assembly Bill x1 26 chaptered and effective on June 27, 2011 added Parts 1.8 and 1.85 to Division 24 of the California Health & Safety Code, which caused the dissolution of all redevelopment agencies and wind down of the affairs of former agencies, including as such laws were amended by Assembly Bill 1484 chaptered and effective on June 27, 2012 (together, the "Dissolution Act"); and

**WHEREAS**, as of February 1, 2012 the Agency was dissolved pursuant to the Dissolution Act, and as a separate public entity, corporate and politic the Successor Agency to the Community Development Commission of the City of South Gate ("Successor Agency") administers the enforceable obligations of the former Agency and otherwise unwinds the former Agency's affairs, all subject to the review and approval by a seven-member oversight board ("Oversight Board"); and

**WHEREAS**, pursuant to Section 34179 the Successor Agency's Oversight Board has been formed and the initial meeting occurred on March 29, 2013; and

**WHEREAS**, Section 34179 provides that the Oversight Board has fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of Part 1.85 of the Dissolution Act; and

**WHEREAS**, Sections 34177(l)(2)(B), 34177(m), and 34179 provide that each ROPS is submitted to and duly approved by the Oversight Board; and



**WHEREAS**, the Dissolution Act, as amended by AB 1484, in particular Section 34177(m) requires that the Recognized Obligation Payment Schedule for the 13-14A six-month fiscal period of July 1, 2013 to December 31, 2013, shall be submitted by the successor agency, after approval by the oversight board, no later than March 1, 2013 ("ROPS 13-14A"); and

**WHEREAS**, pursuant to Section 34179.6 added by AB 1484, the Successor Agency submitted a copy of the ROPS 13-14A to the County Administrative Officer, the County Auditor-Controller, and the State Department of Finance ("DOF") at the same time that the Successor Agency submitted ROPS 13-14A to the Oversight Board for review; and

**WHEREAS**, the Oversight Board has reviewed the ROPS 13-14A presented by the Successor Agency and desires to approve the ROPS 13-14A and to authorize the Successor Agency, to cause posting of such ROPS on the Successor Agency website, and to direct transmittal of such ROPS to the County Auditor-Controller, the State Controller's Office, and the DOF; and

**WHEREAS**, pursuant to Section 34177(m) for each ROPS submitted to the DOF, the DOF shall make its determination of the enforceable obligations and the amounts and funding sources of the enforceable obligations on each ROPS submitted no later than 45 days after submittal.

**NOW, THEREFORE, BE IT RESOLVED BY THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF SOUTH GATE:**

**Section 1.** The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

**Section 2.** Pursuant to the Dissolution Act, the Oversight Board approves the ROPS 13-14A submitted as Attachment 1 and incorporated by this reference; provided however, that the ROPS 13-14A is approved subject to the condition such ROPS is to be submitted to and reviewed by the DOF. Further, the Assistant City Manager/Finance Director, in consultation with legal counsel, shall be authorized to request and complete meet and confer session(s) with the DOF and make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

**Section 3.** The Oversight Board authorizes transmittal of the ROPS 13-14A to the County Auditor-Controller, the State Controller's Office, and the DOF.

**Section 4.** The Assistant City Manager/Finance Director of the Successor Agency or an authorized designee is directed to post this Resolution, including the ROPS 13-14A, on the Successor Agency website pursuant to the Dissolution Act.

**Section 5.** Pursuant to Section 34179(h) as amended by Assembly Bill 1484, written notice and information about all actions taken by the Oversight Board shall be provided to the DOF by electronic means and in a manner of DOF's choosing. An Oversight Board's action shall become effective five (5) business days after notice in the manner specified by the DOF unless the DOF requests a review; provided however, that pursuant to Section 34177(m) as to each ROPS submitted the DOF shall make its determination of the

enforceable obligations and the amounts and funding sources of the enforceable obligations thereon no later than 45 days after submittal.

**Section 6.** The Secretary of the Oversight Board shall certify to the adoption of this Resolution.

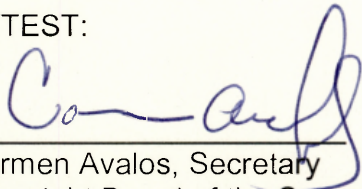
**APPROVED AND ADOPTED** this 25<sup>th</sup> day of February 2013.



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W. H. (Bill) De Witt, Chair  
Oversight Board of the Successor Agency to the  
Community Development Commission of the  
City of South Gate

ATTEST:



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Carmen Avalos, Secretary  
Oversight Board of the Successor Agency  
to the Community Development Commission  
of the City of South Gate

(SEAL)



ATTACHMENT 1 TO  
OVERSIGHT BOARD RESOLUTION NO. \_\_\_\_\_

RECOGNIZED OBLIGATION PAYMENT SCHEDULE 13-14A  
FOR THE SIX-MONTH FISCAL PERIOD OF JULY 1, 2013 TO DECEMBER 31, 2013

(attached)

**SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE**

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

Name of Successor Agency: **SOUTH GATE (LOS ANGELES)**

| Outstanding Debt or Obligation       | Total        |
|--------------------------------------|--------------|
| Total Outstanding Debt or Obligation | \$71,225,973 |

| Current Period Outstanding Debt or Obligation   | Six-Month Total |
|---|-----------------|
| A Available Revenues Other Than Anticipated RPTTF Funding   | \$0             |
| B Enforceable Obligations Funded with RPTTF   | \$4,130,436     |
| C Administrative Allowance Funded with RPTTF  | \$125,000       |
| D Total RPTTF Funded (B + C = D)  | \$4,255,436     |
| E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i> | \$4,255,436     |
| F Enter Total Six-Month Anticipated RPTTF Funding   | Not Available   |
| G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>                         | #VALUE!         |

**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> | \$3,730,180 |
| I Enter Actual Obligations Paid with RPTTF  | \$4,060,894 |
| J Enter Actual Administrative Expenses Paid with RPTTF  | \$125,007   |
| K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)  | \$0         |
| L Adjustment to RPTTF (D - K = L)   | \$4,255,436 |

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  |

SOUTH GATE (LOS ANGELES)  
 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 | MTTI        | Other | See Month Total |
|        |                                 |                                   |                                     |                    |  |               | \$71,225,973                         | \$6,275,975                          | \$0            | \$0             | \$125,000       | \$4,130,436 | \$0   | \$4,255,436     |
| 1      | Tax Allocation Bonds 2002       | 10/13/2002                        | 9/1/2024                            | US Bank            | Bond debt service on CDC Bonds   | Project No. 1 | 16,002,682                           | 1,313,556                            | 0              | 0               | 0               | 1,026,778   | 0     | 1,026,778       |
| 2      | Tax Allocation Bonds 2003       | 11/13/2003                        | 9/1/2024                            | US Bank            | Bond debt service on CDC Bonds   | Project No. 1 | 28,841,475                           | 2,401,594                            | 0              | 0               | 0               | 1,868,297   | 0     | 1,868,297       |
| 3      | HLJD Section 10B Loan           | 1/25/2011                         | 1/31/2013                           | City of South Gate | Jul '99 loan for Tenere Center Plaza   | Project No. 1 | 2,351,709                            | 349,125                              | 0              | 0               | 0               | 286,311     | 0     | 286,311         |
| 4      | 2002 COP Series A & B           | 1/1/2002                          | 9/1/2024                            | City of South Gate | Mar '02 financing for CDC refunding  | Project No. 1 | 21,309,107                           | 1,810,700                            | 0              | 0               | 0               | 905,150     | 0     | 905,150         |
| 5      | Bond Trustee Fees               | 10/13/2002                        | 9/1/2024                            | US Bank            | D/S trustee fees for 2002 Tdls   | Project No. 1 | 33,000                               | 3,300                                | 0              | 0               | 0               | 3,300       | 0     | 3,300           |
| 6      | Bond Trustee Fees               | 11/13/2003                        | 9/1/2024                            | US Bank            | D/S trustee fees for 2003 Tdls   | Project No. 1 | 33,000                               | 3,300                                | 0              | 0               | 0               | 3,300       | 0     | 3,300           |
| 7      | Trustee Fees                    | 1/1/2002                          | 9/1/2024                            | US Bank            | D/S trustee fees for COPs  | Project No. 1 | 66,000                               | 13,200                               | 0              | 0               | 0               | 6,600       | 0     | 6,600           |
| 8      | Continuing Disclosure Services  | 1/1/2002                          | 9/1/2024                            | City of South Gate | Annual disclosure reports for bonds  | Project No. 1 | 9,000                                | 1,000                                | 0              | 0               | 0               | 500         | 0     | 500             |
| 9      | Successor Agency Operations     | 12/1/2012                         | 9/1/2024                            | City of South Gate | 2012-13 Admin Allowance  | Project No. 1 | 2,500,000                            | 250,000                              | 0              | 0               | 125,000         | 0           | 0     | 125,000         |
| 10     | Due Diligence Reviews (AB 1484) | 6/27/2012                         | 9/3/2024                            | City of South Gate | Reimburse General Fund for MSC 34179.5 reviews   | Project No. 1 | 0                                    | 0                                    | 0              | 0               | 0               | 0           | 0     | 0               |
| 11     | ROPS 9 Fund Shortfall           | 6/26/2012                         | 6/30/2013                           | City of South Gate | Reimburse General Fund for ROPS 9 Fund Shortfall   | Project No. 1 | 0                                    | 0                                    | 0              | 0               | 0               | 0           | 0     | 0               |
| 12     | Property Disposition            | Upon sale of properties           | when all properties are disposed    | various vendors    | Funding for costs associated with disposing of all former RDA properties held by the Successor Agency including completing the Long Range Property Management Plan | Project No. 1 | 80,000                               | 60,000                               | 0              | 0               | 0               | 30,000      | 0     | 80,000          |









**RESOLUTION CERTIFICATION PAGE**

**STATE OF CALIFORNIA** )

**COUNTY OF LOS ANGELES** )      **SS**

**CITY OF SOUTH GATE** )

I, Carmen Avalos, Secretary of the Oversight Board of the Successor Agency to the Community Development Commission of the City of South Gate, California, hereby certify that the whole number of Members of the Oversight Board of said City is seven; that Resolution No. 2013-03 was adopted by the Oversight Board at their Meeting held on February 25, 2013, by the following vote:

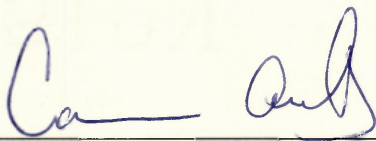
Ayes:            Board Members:      De Witt, Payne, Torres, Shidler,

Noes:            Board Members:      None

Absent:          Board Members:      Verdugo, Bokde and Liday

Abstain:        Board Members:      None

Witness my hand and the seal of said City on March 7, 2013.

  
\_\_\_\_\_  
Carmen Avalos, Secretary  
Oversight Board of the Successor Agency  
to the Community Development Commission  
of the City of South Gate, California