

ATTACHMENT 5

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA BARBARA COUNTY REDEVELOPMENT AGENCY,
STATE OF CALIFORNIA**

**RESOLUTION DIRECTING STAFF TO)
PROVIDE THE PRELIMINARY DRAFT OF THE)
INITIAL RECOGNIZED OBLIGATION PAYMENT) Resolution No. 11-313
SCHEDULE TO THE SUCCESSOR AGENCY)
PURSUANT TO HEALTH & SAFETY)
CODE SECTION 34169(h))**

WHEREAS, on November 27, 1990, the Santa Barbara County Board of Supervisors adopted the redevelopment plan for the Isla Vista Redevelopment Project Area; and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature enacted and the Governor signed ABX1 26 requiring among other things that each redevelopment agency provide a preliminary draft of the initial Recognized Obligation Payment Schedule to the Successor Agency of the redevelopment agency that lists all of the recognized obligations of the Successor Agency and a companion bill, ABX1 27 which allows communities which created redevelopment agencies to enter into an “Alternative Voluntary Redevelopment Program”; and

WHEREAS, on August 9, 2011, the Redevelopment Agency of the County of Santa Barbara (“Redevelopment Agency”) adopted the Enforceable Obligation Payment Schedule (“EOPS”) through adoption of Resolution 11-291 and forwarded the EOPS to the County Auditor-Controller, the State Controller and the State Department of Finance, and posted the EOPS on the Redevelopment Agency’s website; and

WHEREAS, California Health and Safety Code Section 34171(j) and 34173(d)(1) provide that the County is the Successor Agency to the Redevelopment Agency under the Dissolution Bill unless the County adopted a resolution by September 1, 2011 electing not to serve as Successor Agency for the Redevelopment Agency; and

WHEREAS, on August 9, 2011 the County of Santa Barbara Board of Supervisors decided to take no action under California Health and Safety Code Section 34173(d)(1), so as to allow the County of Santa Barbara to automatically become Successor Agency to the Redevelopment Agency; and

WHEREAS, an action challenging the constitutionality of ABX1 26 and ABX1 27 has been brought on behalf of cities, counties and redevelopment agencies in the case of California Redevelopment Association et al v. Matosantos (S194861) (“Matosantos Case”) and the California Supreme Court has stayed portions of ABX1 26 and ABX1 27; and

WHEREAS, after August 9, 2011, California Health and Safety Code Section

34173(d)(1) become subject to the Court's stay in the Matosantos case through the Court's orders of August 11, 2011 and August 18, 2011.

WHEREAS, California Health and Safety Code Section 34169(h), which requires the Redevelopment Agency to prepare and provide to its successor agency a preliminary draft of the initial Recognized Obligation Payment Schedule, is not subject to the stay that was imposed through the Court's orders of August 11, 2011 and August 18, 2011 in the Matosantos Case; and

WHEREAS, the Santa Barbara County Board of Supervisors has not yet determined whether or not it will pass an ordinance pursuant to ABX1 27 to enter into the "Alternative Voluntary Redevelopment Program" to continue the existence of the Redevelopment Agency and nothing contained herein shall be interpreted to or limit the ability of the Board of Supervisors to pass such an ordinance; and

WHEREAS, the Redevelopment Agency has prepared a preliminary draft of the initial Recognized Obligation Payment Schedule, attached to this resolution as Exhibit A, to be forwarded to the County of Santa Barbara in conformance with California Health and Safety Code Section 34169(h).

NOW, THEREFORE BE IT FOUND AND RESOLVED AS FOLLOWS:

1. The above recitations are true and correct.
2. The Board of Directors of the Redevelopment Agency of the County of Santa Barbara hereby authorizes and directs the Redevelopment Agency Executive Director to provide the preliminary draft of the initial Recognized Obligation Payment Schedule included herein as Exhibit A, to the County of Santa Barbara.
3. This resolution shall in no way be construed as requiring the Redevelopment Agency to abide by ABX1 26 or ABX1 27 in the event that either, or both, are found legally invalid in whole or in part, nor shall this resolution effect or give rise to any waiver of rights or remedies the County or Redevelopment Agency may have, whether in law or in equity, to challenge ABX1 26 or ABX1 27. This binding resolution shall not be construed as the Redevelopment Agency's willing acceptance of, or concurrence with, either ABX1 26 or ABX1 27; nor does this resolution evidence any assertion or belief on the part of the Redevelopment Agency that those bills are constitutional or lawful.
4. The Board of Directors finds, under CEQA Guideline Sections 15378(b)(4) and 15378(b)(5) that this Resolution is exempt from the requirements of the CEQA in that it is not a "project," but instead consists of the creation of governmental funding mechanisms or fiscal activities and/or the continuation of a governmental funding mechanism for potential projects and programs and does not involve any commitment to any specific project or program.
5. This Resolution shall become effective on the day of its adoption.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Redevelopment Agency of the County of Santa Barbara of the State of California, this 17th day of Sept 2011, by the following vote:

AYES: Supervisors Carbajal, Wolf, Farr, Gray & Lavagnino

NOES: None

ABSTAIN: None

ABSENT: None

REDEVELOPMENT AGENCY OF THE COUNTY OF SANTA BARBARA a public body, corporate and politic

By: Joni Gray
JONI GRAY
Chair, Board of Directors

ATTEST:
CHANDRA L. WAYLAR

By: [Signature]
Agency Secretary

APPROVED AS TO LEGAL FORM:
DENNIS A. MARSHALL
AGENCY COUNSEL

By: [Signature]
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA
AUDITOR CONTROLLER/AGENCY
TREASURER

By: [Signature]
Deputy Auditor-Controller
AD. ACCT.

Santa Barbara County Redevelopment Agency
Initial Recognized Obligations Payment Schedule

DRAFT

Prepared in accordance with CA Health and Safety Code 34169(h)

Obligation	Project Name	Payee	Project Description	Total Liability as of October 1, 2011	Funding Source	Expected Completion	Monthly Expenditures										Total
							October	November	December	January	February	March	April	May	June		
Debt Repayment Agreement	Project Area Infrastructure Improvements	County of Santa Barbara	During Fiscal Year 2008, the Santa Barbara County Redevelopment Agency was advanced funds by the County of Santa Barbara in order to fund various infrastructure improvements identified in the redevelopment plan. As part of this advance The Redevelopment Agency entered into a long term agreement to repay the County of Santa Barbara for the cost of the capital provided. Additional information on the repayment agreement, specific projects and restrictions on unspent proceeds can be found in the Official Statement provided in connection with the County of Santa Barbara 2008 Certificate of Participation issuance.	\$ 17,000,000	Redevelopment Property Tax Trust Fund	12/1/2028	\$ -	\$ 1,024,342	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 356,242	\$ -	\$ 1,380,584
RDA Operations	Services and Supplies	General Operations	Verizon Tmobile Lebard's Computer Meridian Group Westaire Heating and Air Smith Electric Cox Servicemaster Pathpoint Digital Payment Technologies County of Santa Barbara	\$ 132,084	Administrative Cost Allowance	6/30/2012	\$ 13,926	\$ 13,926	\$ 14,924	\$ 13,926	\$ 13,926	\$ 14,026	\$ 13,926	\$ 19,478	\$ 14,026	\$ 132,084	
Utilities	General Operations	County of Santa Barbara Southern California Edison Southern California Gas Company Goleta Water District Other	The Redevelopment Agency requires utilities to effectively operate pursuant to the provisions of Health and Safety Code Section 34169	\$ 12,088	Administrative Cost Allowance	6/30/2012	\$ 1,335	\$ 1,335	\$ 1,408	\$ 1,335	\$ 1,335	\$ 1,335	\$ 1,335	\$ 1,335	\$ 1,335	\$ 1,335	\$ 12,088
Insurance	General Operations	Target Financial Services Byars Insurance Other	The Redevelopment Agency requires insurance to effectively operate during the period covered by Health and Safety Code Section 34169	\$ 4,312	Administrative Cost Allowance	6/30/2012	\$ -	\$ 1,437	\$ -	\$ -	\$ 1,437	\$ -	\$ -	\$ 1,438	\$ -	\$ 4,312	
Motor pool	General Operations	County of Santa Barbara	The Redevelopment Agency requires transportation to effectively operate during the period covered by Health and Safety Code Section 34169	\$ 2,250	Administrative Cost Allowance	6/30/2012	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 2,250

Santa Barbara County Redevelopment Agency
Initial Recognized Obligations Payment Schedule

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Prepared in accordance with CA Health and Safety Code 34169(h)

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Administrative Services Agreement	General Operations	County of Santa Barbara Santa Barbara County Employees (Travel and Other Reimbursements)	The Redevelopment Agency has entered into an agreement with the County of Santa Barbara to provide certain administrative services to the Agency. These services include the reimbursement of the County for staff costs incurred on behalf of the agency. The agency currently has no employees as such these payments are necessary for the continued administration of the agency.	\$ 626,554	Administrative Cost Allowance	6/30/2012	\$ 69,618	\$ 69,618	\$ 69,610	\$ 69,618	\$ 69,618	\$ 69,618	\$ 69,618	\$ 69,618	\$ 69,618	\$ 69,618	\$ 626,554
Road Project Completion	Embarcadero Undergrounding and Road Improvements	County of Santa Barbara Granite Construction (sub-contractor)	During Fiscal Year 2009, The Redevelopment Agency entered into an agreement to provide funding for the County of Santa Barbara to complete both direct contract and sub-contract work for several multi-year redevelopment agency infrastructure projects. Certain of these projects are ongoing and not substantially complete and these payments reflect amounts necessary to complete the agreed upon project and return the infrastructure to a safe and fully functional state. The projects include but not limited to the replacement of underground utilities and water works, street replacement, resurfacing and streetscape improvements along the major traffic corridors of the project area.	\$ 775,000	Approximately \$200,000 in Bond Proceeds / \$600,000 Redevelopment Property Tax Trust Fund	6/30/2012	\$ 174,268	\$ 175,000	\$ -	\$ -	\$ 175,000	\$ -	\$ -	\$ 175,000	\$ 75,732	\$ 775,000	
Accounting And Auditing Fees	Financial Reporting	County of Santa Barbara Brown Armstrong CPAs (sub-contractor)	The Agency has contracted to have audits of its financial statements completed.	\$ 18,100	Administrative Cost Allowance	6/30/2012	\$ 18,100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,100
							\$ 259,397	\$ 1,285,908	\$ 86,192	\$ 85,129	\$ 261,566	\$ 85,229	\$ 85,129	\$ 623,361	\$ 160,961	\$ 2,950,972	