

RESOLUTION NO. 3501

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA ACTING AS SUCCESSOR AGENCY TO THE FORMER COALINGA REDEVELOPMENT AGENCY APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE

WHEREAS, AB1X26 ("AB 26") and AB1X27 ("AB 27") were passed by the State Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. 5194861), challenging the constitutionality of AB 26 and AB 27 on behalf of cities, counties and redevelopment agencies, and requesting a stay of enforcement; and

WHEREAS, on August 11, 2011, the Supreme Court issued a partial stay on the effectiveness of AB 26 and AB 27 until the Court ruled on the constitutionality of the two bills, which stay was further modified by the Court on August 17, 2011; and

WHEREAS, on December 29, 2011, the Supreme Court issued a ruling upholding AB 26 as a proper exercise of the legislative power and striking down AB 27 as unconstitutional, eliminating all redevelopment agencies effective February 1, 2012; and

WHEREAS, the Supreme Court's ruling modified the deadlines set forth in AB 26, in most cases extending them by four (4) months; and

WHEREAS, Health and Safety Code Section 34177(1)(2)(A), as modified by the Supreme Court's ruling in *Matosantos*, provides that the Successor Agency must adopt a draft Recognized Obligation Payment Schedule ("ROPS") by March 1, 2012; and

WHEREAS, the approved ROPS will be posted on the Successor Agency's website; and

WHEREAS, the Successor Agency must submit a copy of the approved ROPS to the county auditor-controller, the state controller and the Department of Finance by April 15, 2012; and

WHEREAS, the adopted ROPS must be reviewed, and certified as to its accuracy, by the county auditor-controller; and

WHEREAS, the certified ROPS must be submitted to and duly approved by the Oversight Board (once formed); and

WHEREAS, until a ROPS becomes operative, only payments on the adopted Enforceable Obligation Payment Schedule (EOPS) will be made; and

WHEREAS, on May 1, 2012, the ROPS supersedes the EOPS and only payments appearing on the ROPS shall be made thereafter.

NOW, THEREFORE, the City Council acting as Successor Agency to the former Coalinga Redevelopment Agency of the City of Coalinga does hereby resolve as follows:

Section 1. The City hereby finds and determines that the foregoing recitals are true and correct.

Section 2. All other legal prerequisites to the adoption of this Resolution have occurred.

Section 3. The City, acting in its capacity as Successor Agency, hereby adopts the Recognized Obligation Payment Schedule attached hereto and incorporated by reference herein pursuant to Health and Safety Code Section 34177.

Section 4. The City's liability for actions taken in its capacity as Successor Agency is expressly limited by Health and Safety Code Section 34173(e).

Section 5. The City Manager, or designee, is hereby authorized to take such actions as are necessary and appropriate to implement this Resolution.

Section 6. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Coalinga acting as successor agency to the former Coalinga Redevelopment Agency at a regular meeting this 16th day of February 2012, by the following vote:

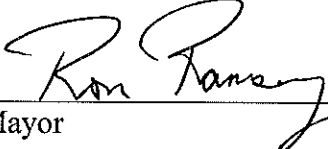
AYES: Lander, Garcia, Bourdeau, Oxborrow, Ramsey

NOES: None

ABSENT: None

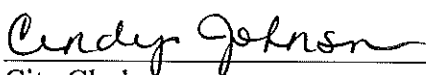
ABSTAIN: None

APPROVED:




Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

EXHIBIT A

Recognized Obligation Payment Schedule

DRAFT OF INITIAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation as June 30, 2011	Total Due During Fiscal Year 2011/2012	Source of Payment	Payments by month						Total			
						July-Dec	Jan	Feb	Mar	Apr	May		June		
1) Pass Through Agreement	Coalinga Cemetery District	Agency pass through agreement FY 2011-2012	820	820	RPTTF			410					410	\$	820
2) Pass Through Agreement	Coalinga Reg. Medical Ctr.	Agency pass through agreement FY 2011-2012	9,803	9,803	RPTTF			4,901					4,901	\$	9,803
3) Pass Through Agreement	Coalinga District Library	Agency pass through agreement FY 2011-2012	4,655	4,655	RPTTF			2,328					2,328	\$	4,655
4) Pass Through Agreement	Coalinga-Huron Mosquito Abatement	Agency pass through agreement FY 2011-2012	534	534	RPTTF			267					267	\$	534
5) Pass Through Agreement	Coalinga-Huron Park & Rec	Agency pass through agreement FY 2011-2012	13,851	13,851	RPTTF			6,926					6,926	\$	13,851
6) Pass Through Agreement	Coalinga-Huron USD	Agency pass through agreement FY 2011-2012	39,690	39,690	RPTTF			19,845					19,845	\$	39,690
7) Pass Through Agreement	Fresno Co. Office of Educ.	Agency pass through agreement FY 2011-2012	5,515	5,515	RPTTF			2,757					2,757	\$	5,515
8) Pass Through Agreement	Fresno County Auditor/Controller	Agency pass through agreement FY 2011-2012	61,521	61,521	RPTTF			30,760					30,760	\$	61,521
9)														\$	-
10)														\$	-
11)														\$	-
12)														\$	-
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25)														\$	-
26)														\$	-
27)														\$	-
28)														\$	-
29)														\$	-
30)														\$	-
Totals - This Page			\$ 136,388	\$ 136,388		\$	\$	68,194	\$	\$	\$	\$	68,194	\$	136,388

RPTTF = Redevelopment Property Tax Trust Fund
 LMHF = Low and Moderate Income Housing Fund
 ACA = Administrative Cost Allowance