

RESOLUTION NO. 12

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE PORT HUENEME REDEVELOPMENT AGENCY ADOPTING THE JULY 1, 2013 THROUGH DECEMBER 31, 2013 RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34180

The Oversight Board for the Successor Agency to the Port Hueneme Redevelopment Agency ("Oversight Board") does resolve as follows:

Section 1. The Board finds and declares that:

- A. On June 29, 2011, AB 1X 26 and AB 1X 27 became effective, requiring that each redevelopment agency within California be dissolved unless the community that created it enacts an ordinance committing it to making certain payments;
- B. On December 29, 2011, the California Supreme Court issued a decision in *California Redevelopment Association v. Matosantos* (Case No. S194861) largely upholding AB 1X 26, invalidating AB 1X 27 as unconstitutional, and holding that AB 1X 26 may be severed from AB 1X 27 and enforced independently;
- C. 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;
- D. As a result of the Supreme Court's decision, the Port Hueneme Redevelopment Agency (the "Redevelopment Agency"), created pursuant to the Community Redevelopment Law, was dissolved on February 1, 2012 pursuant to AB 1X 26;
- E. By its Resolution No. 4002, adopted on January 11, 2012, the City Council of the City of Port Hueneme made an election to serve on behalf of the Successor Agency for the Redevelopment Agency under Part 1.85 (the "Successor Agency");
- F. On June 27, 2012, Governor Brown signed new legislation, Assembly Bill 1484, that significantly changed and clarified certain provisions of AB 1X 26, which added significant new provisions and modified actions and deadlines, with major non-compliance consequences.
- G. Pursuant to Health & Safety Code § 34180 and the California Supreme Court's decision in *California Redevelopment Association v. Matosantos*, 53 Cal.4th 231, the Oversight Board must approve an Initial Recognized Obligation Payment

Schedule and submit the Initial Recognized Obligation Payment Schedule to the Department of Finance and State Controller before April 15, 2012;

- H. Each Recognized Obligation Payment Schedule and Administrative Budget must be approved by the Oversight Board and is subject to review and approval by the County Auditor-Controller, Department of Finance, and State Controller; and
- I. The Oversight Board desires to adopt this Resolution approving a Recognized Obligation Payment Schedule (ROPS 13-14A) and Administrative Budget for the period from July 1, 2013 through December 31, 2013.

Section 2. *Recognized Obligation Payment Schedule.* The Oversight Board hereby adopts the Recognized Obligation Payment Schedule and Administrative Budget attached as Exhibit "A" to this Resolution (ROPS 13-14A).

Section 3. *Authorization.* The officers and staff of the Oversight Board 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 providing documents associated with the ROPS 13-14A to the County Auditor-Controller, State Controller, and Department of Finance. The City Manager of the City of Port Hueneme, or designee, is the official whom the Department of Finance may make requests for review in connection with the ROPS 13-14A.

Section 4. *Amendment.* The ROPS 13-14A and Administrative Budget may be amended from time to time at any public meeting of the Oversight Board.

Section 5. *Environmental Determination.* This Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, et seq., "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a "project" that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

Section 6. *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Oversight Board and applicable law. The findings and determinations constitute the independent findings and determinations of the Board in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Section 7. *Summaries of Information.* All summaries of information in the findings, which precede this Section, are based on the substantial evidence in the record including, without limitation, verbal and documentary evidence submitted to the Board. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

Section 8. The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the Oversight Board's original resolutions; and make a minute of the adoption of the Resolution in the Oversight Board's records and the minutes of this meeting.

Section 9. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED, APPROVED, AND ADOPTED this 25th day of February, 2013.

OVERSIGHT BOARD



JONATHAN SHARKEY
CHAIR

ATTEST:



MICHELLE ASCENCION
CITY CLERK
ON BEHALF OF THE SUCCESSOR AGENCY

APPROVED AS TO CONTENT:



JOHN R. VELTHOEN
INTERIM CITY MANAGER
ON BEHALF OF THE SUCCESSOR AGENCY

SUCCESSOR AGENCY CONTACT INFORMATION

Successor Agency

ID: 390
 County: Ventura
 Successor Agency: Port Hueneme

Primary Contact

Honorific (Ms, Mr, Mrs)

First Name

Last Name

Title

Address

City

State

Zip

Phone Number

Email Address

Robert J
Bravo
Finance Director
250 N Ventura Rd
Port Hueneme
CA
93041
805-986-6506
rbravo@ci.port-hueneme.ca.us

Secondary Contact

Honorific (Ms, Mr, Mrs)

First Name

Last Name

Title

Phone Number

Email Address

Carmen
Nichols
Assistant City Manager
805-986-6501
cnichols@ci.port-hueneme.ca.us

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: **PORT HUENEME (VENTURA)**

Outstanding Debt or Obligation

Total Outstanding Debt or Obligation

\$25,442,042

Current Period Outstanding Debt or Obligation

Six-Month Total

	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$0
B Enforceable Obligations Funded with RPTTF	\$1,247,354
C Administrative Allowance Funded with RPTTF	\$125,000
D Total RPTTF Funded (B + C = D)	\$1,372,354
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) Should be same amount as ROPS form six-month total	\$1,372,354
F Enter Total Six-Month Anticipated RPTTF Funding	\$0
G Variance (F - D = G) Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding	(\$1,372,354)
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 (lessor of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)	\$998,975
I Enter Actual Obligations Paid with RPTTF	\$567,783
J Enter Actual Administrative Expenses Paid with RPTTF	\$149,139
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$282,053
L Adjustment to RPTTF (D - K = L)	\$1,090,301

Certification of Oversight Board Chairman:

Pursuant to Section 34177(m) of the Health and Safety code,

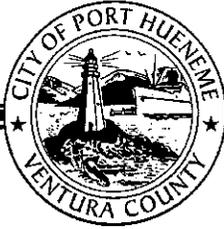
I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

Jonathan Shockey
Name

Chair, Oversight Board
Title

[Signature]
Signature

February 25, 2013
Date



City of Port Hueneme

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS:
CITY OF PORT HUENEME)

I, Michelle Ascencion, duly appointed and qualified City Clerk of the City of Port Hueneme, do hereby certify that the foregoing **Resolution No. 12** is a true and correct copy passed, approved, and adopted by the Oversight Board of the Successor Agency to the Port Hueneme Redevelopment Agency at its Regular Meeting of February 25, 2013 by the following vote:

AYES: Members Greg Brown, Christine McCloskey, Mary Anne McNeil; Chair Jonathan Sharkey.

NOES: None.

ABSTAINING: None.

ABSENT: Members Paul Derse, Steven Kinney, Vice Chair Abbe Berns.


Michelle Ascencion, CMC, City Clerk of
the City of Port Hueneme and ex-officio
Clerk of the Council, on behalf of the
Successor Agency.

Dated: February 26, 2013