

## RESOLUTION NO. 16

### **A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE PORT HUENEME REDEVELOPMENT AGENCY ADOPTING THE JULY 1, 2014 THROUGH DECEMBER 31, 2014 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 ("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 14-15A) and Administrative Budget for the period from July 1, 2014 through December 31, 2014.

Section 2. *Recognized Obligation Payment Schedule.* The Oversight Board adopts the Recognized Obligation Payment Schedule and Administrative Budget attached as Exhibit "A" to this Resolution (ROPS 14-15A) which is incorporated by reference.

Section 3. *Authorization.* The officers and staff of the Oversight Board are 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 14-15A 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 14-15A.

Section 4. *Amendment.* The ROPS 14-15A 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

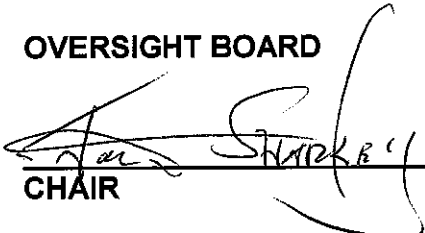
including, without limitation, verbal and documentary evidence submitted to the Board. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

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.

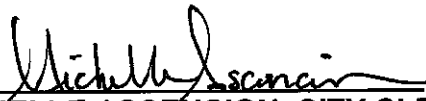
Section 9. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

**PASSED, APPROVED, AND ADOPTED** this 24<sup>th</sup> day of February, 2014.


**OVERSIGHT BOARD**

  
CHAIR

**ATTEST:**

  
MICHELLE ASCENCION, CITY CLERK  
ON BEHALF OF THE SUCCESSOR AGENCY

**APPROVED AS TO CONTENT:**

  
CYNTHIA HAAS, CITY MANAGER  
ON BEHALF OF THE SUCCESSOR AGENCY

**Recognized Obligation Payment Schedule (ROPS 14-15A) - Summary**

Filed for the July 1, 2014 through December 31, 2014 Period

Name of Successor Agency: Port Hueneme  
 Name of County: Ventura

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding Sources (B+C+D):</b>		
A	Bond Proceeds Funding (ROPS Detail)	\$ 300,000
B	Reserve Balance Funding (ROPS Detail)	300,000
C	Other Funding (ROPS Detail)	-
D		
<b>E Enforceable Obligations Funded with RPTTF Funding (F+G):</b>		
F	Non-Administrative Costs (ROPS Detail)	1,237,052
G	Administrative Costs (ROPS Detail)	125,000
<b>H Current Period Enforceable Obligations (A+E):</b>		<b>\$ 1,662,052</b>

<b>Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
I	Enforceable Obligations funded with RPTTF (E):	1,362,052
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(24,937)
<b>K Adjusted Current Period RPTTF Requested Funding (I-J)</b>		<b>\$ 1,337,115</b>

<b>County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
L	Enforceable Obligations funded with RPTTF (E):	1,362,052
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
<b>N Adjusted Current Period RPTTF Requested Funding (L-M)</b>		<b>1,362,052</b>

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.

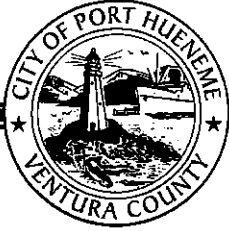
*Jonathan Sharkey* Chair  
 Name Title  
*Jonathan Sharkey* Signature Date  
 2/24/2014





**Recognized Obligation Payment Schedule (ROPS) 14-15A - Report of Prior Period Adjustments**  
 Reported for the ROPS 13-14A, (July 1, 2013 through December 31, 2013) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)  
 (Report Amounts in Whole Dollars)

Item #	Project Name / Debt Obligation	Non-RPTTF Expenditures						RPTTF Expenditures						Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 14-15A Requested RPTTF)												
		Bond Proceeds		Reserve Balance		Other Funds		Non-Admin			Admin															
		Authorized	Actual	Authorized	Actual	Authorized	Actual	Available RPTTF (ROPS 13-14A distributed + all other available as of 07/1/13)	Net Lesser of Authorized / Available	Difference (if K is less than L, the difference is zero)	Authorized	Actual	Available RPTTF (ROPS 13-14A distributed + all other available as of 07/1/13)		Net Lesser of Authorized / Available	Difference (if total actual exceeds total authorized, the total difference is zero)										
1	1983 Tax Allocation	-	\$ -	-	\$ -	-	\$ -	869,184	\$ -	869,184	\$ -	869,184	\$ -	869,184	\$ -	17,224	\$ -	125,000	\$ -	125,000	\$ -	7,713	\$ -	24,937		
2	1983 Tax Allocation	-	-	-	-	24,750	\$ -	24,750	\$ -	24,750	\$ -	24,750	\$ -	24,750	\$ -	59,475	\$ -	59,475	\$ -	59,475	\$ -	-	\$ -	-	-	
3	2004 Tax Allocation Refunding Bonds	-	-	-	-	59,475	\$ -	59,475	\$ -	59,475	\$ -	59,475	\$ -	59,475	\$ -	238,389	\$ -	238,389	\$ -	238,389	\$ -	-	\$ -	-	-	
4	Central Community Promissory Note #7	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-	\$ -	-	\$ -	-	\$ -	-	
5	NCEL - Promissory Note #1	-	-	-	-	504,570	\$ -	504,570	\$ -	504,570	\$ -	504,570	\$ -	504,570	\$ -	5,245	\$ -	5,245	\$ -	5,245	\$ -	-	\$ -	-	5,245	
6	Fiscal Agent Fees	-	-	-	-	10,000	\$ -	10,000	\$ -	10,000	\$ -	10,000	\$ -	10,000	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-	
7	Low and Moderate Income Housing Debt (ERAF)	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-	
8	Low and Moderate Income Housing Fund Debt	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-	
9	Repairs & Maintenance	-	-	-	-	1,500	\$ -	1,500	\$ -	1,500	\$ -	1,500	\$ -	1,500	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-	
10	Contract Services - Ancillary Related	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-	
11	Contract Services - Misc.	-	-	-	-	5,000	\$ -	5,000	\$ -	5,000	\$ -	5,000	\$ -	5,000	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	5,000	
12	Repairs & Maintenance	-	-	-	-	500	\$ -	500	\$ -	500	\$ -	500	\$ -	500	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	-	
13	Contract Services - Misc.	-	-	-	-	10,000	\$ -	10,000	\$ -	10,000	\$ -	10,000	\$ -	10,000	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	2,000	
14	Contract Services - Misc.	-	-	-	-	15,000	\$ -	15,000	\$ -	15,000	\$ -	15,000	\$ -	15,000	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	4,979	
15	Salaries & Benefits	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	62,899	\$ -	62,899	\$ -	62,899	\$ -	61,949	\$ -	950	\$ -	950
16	Staff Training	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	1,500	\$ -	1,500	\$ -	1,500	\$ -	1,494	\$ -	6	\$ -	6
17	Legal Expenses for Successor Agency	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	5,000	\$ -	5,000	\$ -	5,000	\$ -	839	\$ -	4,161	\$ -	4,161
18	Oversight Board Expenses	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	1,000	\$ -	1,000	\$ -	1,000	\$ -	813	\$ -	187	\$ -	187
19	Office Supplies	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	1,039	\$ -	1,039	\$ -	1,039	\$ -	1,039	\$ -	-	\$ -	
20	Office Equipment	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	1,500	\$ -	1,500	\$ -	1,500	\$ -	1,500	\$ -	-	\$ -	
21	Insurance	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	2,500	\$ -	2,500	\$ -	2,500	\$ -	2,500	\$ -	-	\$ -	
22	Professional Services (Fin. & Real Estate Analysis)	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	7,500	\$ -	7,500	\$ -	7,500	\$ -	6,591	\$ -	909	\$ -	909
24	Internet Hosting	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	1,000	\$ -	1,000	\$ -	1,000	\$ -	1,000	\$ -	-	\$ -	
25	Bond Council	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	1,500	\$ -	1,500	\$ -	1,500	\$ -	1,500	\$ -	-	\$ -	
26	Cost Allocation	-	-	-	-	-	\$ -	-	\$ -	-	\$ -	-	\$ -	-	\$ -	32,062	\$ -	32,062	\$ -	32,062	\$ -	32,062	\$ -	-	\$ -	



# 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. 16** 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 24, 2014 by the following vote:

AYES:       Members Greg Brown, Steven Kinney, Mary Anne McNeil,  
              Dr. Christine Walker; Chair Jonathan Sharkey.

NOES:       None.

ABSTAINING:   None.

ABSENT:      Member Paul Derse, Vice Chair Mike Milkovich.

  
\_\_\_\_\_  
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 25, 2014