RESOLUTION NO. OB-2012-03

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS, APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(l)

WHEREAS, pursuant to Health and Safety Code section 34173(d), the City of Winters ("RDA Successor Agency") is the successor agency to the dissolved Community Development Agency of the City of Winters ("Agency"), confirmed by Resolution No. 2012-02 adopted on January 17, 2012; and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency's oversight board pursuant to Health and Safety Code section 34179(a); and

WHEREAS, Health and Safety Code section 34177(l)(2), as modified by the Supreme Court opinion in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 ("Legal Action"), requires the RDA Successor Agency to prepare an initial draft of a "recognized obligation payment schedule" ("ROPS") by March 1, 2012, listing outstanding obligations of the Agency to be performed by the RDA Successor Agency during the time period from February 1, 2012, through June 30, 2012; and

WHEREAS, Health and Safety Code section 34177(l)(2) requires the RDA Successor Agency to submit the initial draft of the ROPS to either the County of Yolo Auditor-Controller, or its designee, for the auditor's review and certification as to the accuracy of the ROPS; and

WHEREAS, Health and Safety Code section 34177(l)(2) requires the RDA Successor Agency to submit the ROPS certified by the external auditor to the Oversight Board for approval and, upon such approval, the RDA Successor Agency is required to submit a copy of such approved ROPS to the County of Yolo Auditor-Controller, the California State Controller, and the State of California Department of Finance and post the Approved ROPS on the RDA Successor Agency's website; and

WHEREAS, Health and Safety Code section 34180(g) requires the Oversight Board to approve the RDA Successor Agency's establishment of the ROPS prior to the RDA Successor Agency acting upon the ROPS; and

WHEREAS, RDA Successor Agency staff has prepared an initial draft of the ROPS and submitted it to the County of Yolo Auditor-Controller prior to March 1, 2012; and

WHEREAS, the County of Yolo Auditor-Controller has informed the RDA Successor Agency to submit the initial draft of the ROPS to the Oversight Board.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. CEQA Compliance. The approval of the ROPS through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

SECTION 3. Approval of the ROPS. The Oversight Board hereby approves and adopts the ROPS, in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177.

SECTION 4. Implementation. The Oversight Board hereby directs the RDA Successor Agency to submit copies of the ROPS approved by the Oversight Board to the County of Yolo Auditor-Controller, the State of California Controller and the State of California Department of Finance after the effective date of this Resolution or, if the State of California Department of Finance requests review of the ROPS prior to the effective date of this Resolution, upon approval of the ROPS by the State of California Department of Finance, and prior to April 15, 2012, and to post the ROPS on the RDA Successor Agency's website.

SECTION 5. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 6. Certification. The City Manager of the City of Winters or his/her designee, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

SECTION 7. Effective Date. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for three (3) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED AND ADOPTED THIS 9th day of April, 2012, by the following vote:

AYES: 6

NOES: 0

ABSENT: 1

ABSTAIN: 0

Larry Justus, Chairperson

ATTEST:

Oversight Board Secretary

EXHIBIT A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE

[Attached behind this page]

RECOGNIZED OBLIGATION PAYMENT SCHEDULE - CONSOLIDATED
FILED FOR THE __1/1/12_____ to ___6/30/12_____ PERIOD

Name of Successor Agency City of Winters as Successor Agency to the Winters Community Development Agency

	Current	
	Total Outstanding Debt or Obligation	**Total Due During Fiscal Year**
Outstanding Debt or Obligation	$ 46,588,402.08	$ 3,245,004.10
	Total Due for Six Month Period	
Outstanding Debt or Obligation	$ 3,211,824.13	
Available Revenues other than anticipated funding from RPTTF	$ -	
Enforceable Obligations paid with RPTTF	$ 2,962,639.83	
Administrative Cost paid with RPTTF	$ 119,199.95	
Pass-through Payments paid with RPTTF	$ 129,984.35	
Administrative Allowance (greater of 5% of anticipated Funding from RPTTF or 250,000. Note: Calculation should not include pass-through payments made with RPTTF. The RPTTF Administrative Cost figure above should not exceed this Administrative Cost Allowance figure)	$ 148,131.99	

Certification of Oversight Board Chairman:
Pursuant to Section 34177(l) of the Health and Safety code,
I hereby certify that the above is a true and accurate Recognized
Enforceable Payment Schedule for the above named agency.

Larry Justus	Oversight Board Chair
Name	Title
Larry W Justus	4/9/2012
Signature	Date

Name of Redevelopment Agency: Winters Community Development Agency

Project Area(s) RDA Project Area All

FORM A - Redevelopment Property Tax Trust Fund (RPTTF)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34177 (*)

	Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	*** Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF) Payments by month Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
					CDA Project Area										
1)	2004 Tax Allocation Bonds	2/27/04	Bank of New York Trustee	Bond issue to fund non-housing projects	CDA Project Area	4,608,527.75	277,648.50		58,824.25					218,824.25	$ 277,648.50
2)	2004 Tax Allocation Bonds	2/27/04	Bank of New York Trustee	Bond issue to fund housing projects	CDA Project Area	4,789,845.00	266,195.75		62,065.25					204,130.50	$ 266,195.75
3)	2007 Tax Allocaiton Bonds	5/31/07	Bank of New York Trustee	Bond issue to fund non housing projects	CDA Project Area	17,721,682.50	666,590.00		208,295.00					458,295.00	$ 666,590.00
4)	2007 Tax Allocaiton Bonds	5/31/07	Bank of New York Trustee	Bond issue to fund housing projects	CDA Project Area	3,050,810.00	78,470.00		34,235.00					44,235.00	$ 78,470.00
5)	Loan due City of Winters	5/10/10	City of Winters	Loan due for 2010 SERAF paid by City of Winters	CDA Project Area	789,448.00	163,313.50		163,313.50					163,313.50	$ 326,627.00
6)	Loan due City of Winters	9/3/02	City of Winters	Loan due for CDA portion of General Plan Update (1992)	CDA Project Area	1,193,080.52	413,134.62							413,134.62	$ 413,134.62
7)	Employee Costs	8/3/10 Reso#2010.42 and 4	City of Winters	Employee Costs paid by City for Agency	CDA Project Area	122,510.82	15,761.85		15,761.85						$ 15,761.85
8)	Winters Opera House Lease	9/1/05	Winters Opera House	Palms Playhouse Rent Subsidy	CDA Project Area	62,650.25	30,072.12				7,518.03			7,518.03	$ 15,036.06
9)	Winters Opera House Lease	1/28/09	Winters Opera House	Rent Agreement for Winters Visitor Center	CDA Project Area	29,000.00	11,569.20			1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	$ 5,000.00
10)	Visitor Center Funding	2/1/11	Winters Chamber of Commerce	Winters Visitor Center Operations Funding	CDA Project Area	69,600.00	28,800.00			2,400.00	2,400.00	2,400.00	2,400.00	2,400.00	$ 12,000.00
11)	Agency Allocated Expenditures	8/3/10 Reso#2010.42 and 4	City of Winters	Allocation of Staff and Overhead Costs	CDA Project Area	181,392.78	181,392.78		22,660.63						$ 22,660.63
12)	Trustee Services	3/9/04	Bank of New York Mellon	Trustee Services for 2004 Tax Allocation Bonds	CDA Project Area	37,400.00					1,700.00				$ 1,700.00
13)	Trustee Services	6/1/07	Bank of New York Mellon	Trustee Services for 2007 Tax Allocation Bonds	CDA Project Area	42,500.00								1,700.00	$ 1,700.00
14)	Continuing Disclosure Services	8/16/05	Urban Futures, Inc.	Continuing Disclosure Reporting-2004 TABS	CDA Project Area	38,500.00				1,750.00					$ 1,750.00
15)	Continuing Disclosure Services	8/16/05	Urban Futures, Inc.	Continuing Disclosure Reporting-2007 TABS	CDA Project Area	43,750.00				1,750.00					$ 1,750.00
16)	Consulting Services		Urban Futures, Inc.	Consulting on Dissolution Issues	CDA Project Area	2,000.00					500.00	500.00	500.00	500.00	$ 2,000.00
17)	LMIHF Set Aside		Winters Community Development Agency	20% Set Aside for Housing	CDA Project Area	11,928,487.00	306,973.13		168,835.22						$ 168,835.22
18)	Legal Services	6/20/11	Best, Best & Kreiger	Legal Services for Redevelopment issues	CDA Project Area	60,000.00	60,000.00		740.48	1,772.16	14,371.84	14,371.84	14,371.84	14,371.84	$ 60,000.00
19)	305 First Street	12/14/08	Ana's Housekeeping	Janitorial Services	CDA Project Area	600.00	600.00			50.00	50.00	50.00	50.00	50.00	$ 250.00
20)	Water District Improvement	5/16/95	City of Winters Water Enterprise Fund	Water pipe replacement within the redevelopment project Area	CDA Project Area	1,500,000.00	600,000.18							600,000.18	$ 600,000.18
21)	City Attorney Fees		John Wallace	Legal Fees	CDA Project Area	15,000.00					3,750.00	3,750.00	3,750.00	3,750.00	$ 15,000.00
22)	Pers Unfunded Liability	Actuarial Valuation	CalPers	Unfunded Liablity for Agency Employees	CDA Project Area	127,134.99									$ -
23)	314 Railroad Ave	3/31/10	Rory and Theresa Linton	Relcoation Assistance	CDA Project Area	30,000.00									$ -
24)	305 First Street	9/1/08	John Pickerel	Rental of Meeting Room	CDA Project Area	11,060.00	11,060.00	0.00	808.80	944.25	944.25	944.24	944.24	944.24	$ 5,530.02
25)	Auditing		Moss, Levy Hartzheim	Close out Audit of Redevelopment Agency 1-31-12	CDA Project Area	5,000.00	5,000.00							5,000.00	$ 5,000.00
26)	Legal Services Housing	1/13/12	Burke Williams	Legal Services for Housing Related issues	CDA Project Area	9,222.50	9,222.50	9,222.50							$ -
27)															$ -
28)															$ -
29)															$ -
30)															$ -
31)															$ -
32)															$ -
	Totals - This Page (RPTTF Funding)					$ 46,469,202.11	$ 3,125,804.13	N/A	$ 735,539.98	$ 9,666.41	$ 32,234.12	$ 23,016.08	$ 23,016.08	$2,139,167.16	$ 2,962,639.83
	Totals - Page 2 (Other Funding)					$ -	$ -	N/A	$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Totals - Page 3 (Administrative Cost Allowance)					$ 119,199.97	$ 119,199.97	N/A	$ -	$ 23,839.99	$ 23,839.99	$ 23,839.99	$ 23,839.99	$ 23,839.99	$ 119,199.95
	Totals - Page 4 (Pass Thru Payments)					$ 14,586,124.00	$ 297,115.18	N/A	$ 129,984.35	$ -	$ -	$ -	$ -	$ -	$ 129,984.35
	Grand total - All Pages					$ 46,588,402.08	$ 3,245,004.10		$ 735,539.98	$ 33,506.40	$ 56,074.11	$ 46,856.07	$ 46,856.07	$2,163,007.15	$ 3,211,824.13

*** The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.**

**** All totals due during fiscal year and payment amounts are projected.**

***** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)**

RPTTF - Redevelopment Property Tax Trust Fund **Bonds - Bond proceeds** **Other - reserves, rents, interest earnings, etc**

LMIHF - Low and Moderate Income Housing Fund **Admin - Successor Agency Administrative Allowance**

Name of Redevelopment Agency: Winters Community Development Agency

Project Area(s) RDA Project Area All

FORM B - All Revenue Sources Other Than Redevelopment Property Tax Trust Fund (RPTTF)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34177 (*)

	Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source ***	Payable from Other Revenue Sources Payments by month Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
					CDA Project Area										
1)	Police Fire Station		Comtech	Construction Contract	CDA Project Area	44,452.44	44,452.44	Bond	42,532.50						$ 42,532.50
2)	Police Fire Station	10/19/2010	Packet Fusion	Equipment for Police Fire Station	CDA Project Area	9,309.69	9,309.69	Bond				9,309.69			$ 9,309.69
3)	Police Fire Station	12/31/2010	Ponticello Enterprises	Project Adminsitration	CDA Project Area	1,927.80	1,927.80	Bond				1,927.80			$ 1,927.80
4)	Police Fire Station	4/19/2011	Western Furniture Contractors	Equipment for Police Fire Station	CDA Project Area	23,102.73	23,102.73	Bond	23,102.73						$ 23,102.73
5)	Police Fire Station	5/4/2011	Spinitar	Equipment for Police Fire Station	CDA Project Area	11,645.00	11,645.00	Bond	11,260.39						$ 11,260.39
###															$ -
###															$ -
###															$ -
###															$ -
###															$ -
###															$ -
###															$ -
###															$ -
###															$ -
17)															$ -
18)															$ -
19)															$ -
20)															$ -
21)															$ -
22)															$ -
23)															$ -
24)															$ -
25)															$ -
26)															$ -
27)															$ -
28)															$ -
29)															$ -
30)															$ -
31)															$ -
32)															$ -
33)															$ -
	Totals - LMIHF														$0.00
	Totals - Bond Proceeds														$0.00
	Totals - Other														$0.00
	Grand total - This Page					$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.

** All total due during fiscal year and payment amounts are projected.

*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)

RPTTF - Redevelopment Property Tax Trust Fund — Bonds - Bond proceeds — Other - reserves, rents, interest earnings, etc

LMIHF - Low and Moderate Income Housing Fund — Admin - Successor Agency Administrative Allowance

Name of Redevelopment Agency: Winters Community Development Agency

Project Area(s) RDA Project Area All

FORM C - Administrative Cost Allowance Paid With Redevelopment Property Tax Trust Fund (RPTTF)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34177 (*)

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source **	Payable from the Administrative Allowance Allocation **** Payments by month						
								Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
1)	Successor Agency Allocated Expenditures	City of Winters	Allocation of Staff and Overhead Costs	CDA Project Area	119,199.97	119,199.97	RPTTF		23,839.99	23,839.99	23,839.99	23,839.99	23,839.99	$ 119,199.95
2)							RPTTF							$ -
3)							RPTTF							$ -
4)							RPTTF							$ -
5)														$ -
6)														$ -
7)														$ -
8)														$ -
9)														$ -
10)														$ -
11)														$ -
12)														$ -
13)														$ -
14)														$ -
15)														$ -
16)														$ -
17)														$ -
18)														$ -
19)														$ -
20)														$ -
21)														$ -
22)														$ -
23)														$ -
24)														$ -
25)														$ -
26)														$ -
27)														$ -
28)														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
	Totals - This Page				$ 119,199.97	$ 119,199.97		$ -	$ 23,839.99	$ 23,839.99	$ 23,839.99	$ 23,839.99	$ 23,839.99	$119,199.95

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.

** All total due during fiscal year and payment amounts are projected.

*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)

RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc

LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

**** - Administrative Cost Allowance caps are 5% of Form A 6-month totals in 2011-12 and 3% of Form A 6-month totals in 2012-13. The calculation should not factor in pass through payments paid for with RPTTF in Form D.

Name of Redevelopment Agency Winters Community Development Agency

Project Area(s) RDA Project Area All

FORM D - Pass-Through Payments

OTHER OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34177 (*)

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Source of Fund***	Pass Through and Other Payments **** Payments by month: Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	Total
1)	County Pass through	Yolo County	Yolo County Pass through Agreement	CDA Project Area	12,308,774.00	262,428.00		129,984.35						$ 129,984.35
2)	Pass Through	Soalno Community College	Pass through Agreement	CDA Project Area	1,233,574.00	26,599.94								$ -
3)	Pass Through	Mosquito Vector District	Pass through Agreement	CDA Project Area	260,428.00	7,485.24								$ -
4)	Pass Through	Winters Cemetary District	Pass through Agreement	CDA Project Area	783,348.00	602.00								$ -
5)														$ -
6)														$ -
7)														$ -
8)														$ -
9)														$ -
10)														$ -
11)														$ -
12)														$ -
13)														$ -
14)														$ -
15)														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
	Totals - Other Obligations				$ 14,586,124.00	$ 297,115.18	$ -	$ 129,984.35	$ -	$ -	$ -	$ -	$ -	$ 129,984.35

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.

** All total due during fiscal year and payment amounts are projected.

*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)

RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc

LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

**** - Only the January through June 2012 ROPS should include expenditures for pass-through payments. Starting with the July through December 2012 ROPS, per HSC section 34183 (a) (1), the county auditor controller will make the required pass-through payments prior to transferring money into the successor agency's Redevelopment Obligation Retirement Fund for items listed in an oversight board approved ROPS.