

RESOLUTION NO. SACRA 12-06-19-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO, ACTING SOLELY IN ITS CAPACITY AS SUCCESSOR AGENCY TO THE SAN JUAN CAPISTRANO REDEVELOPMENT AGENCY, APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FROM JULY 1, 2012, TO DECEMBER 31, 2012 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)

WHEREAS, the San Juan Capistrano Community Redevelopment Agency ("Agency") was established as a community redevelopment agency duly organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, et seq. ("CRL"), and has been authorized to transact business and exercise the power of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of San Juan Capistrano ("City"); and

WHEREAS, Assembly Bill x1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which laws cause the dissolution and wind down of all redevelopment agencies (the "Dissolution Act"); and

WHEREAS, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act; and

WHEREAS, by Resolution No. 12-01-10-01 approved by the City Council at an open meeting on January 10, 2012, the City chose to become and serve as the successor agency to the dissolved Agency under the Dissolution Act; and

WHEREAS, as of and on and after February 1, 2012, the City serves and acts as the "Successor Agency" and will perform its functions as the successor agency under the Dissolution Act to administer all enforceable obligations of the Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member oversight board ("Oversight Board") and;

WHEREAS, Health and Safety Code Section 34177(j) requires the Successor Agency to prepare a proposed Administrative Budget covering the period from February 1, 2012, through June 30, 2012; and

WHEREAS, pursuant to Section 34177(j), the Successor Agency's "Administrative Budget" is to include all of the following: (a) estimated amounts of the Successor Agency's administrative costs for the upcoming six month fiscal period; (b) the proposed sources of payment for the administrative costs; and (c) proposals for arrangements for administrative and operations services provided by the City as Successor Agency; and

WHEREAS, the Administrative Budget must be approved by the Oversight Board pursuant to Health and Safety Code Section 34177(j); and

WHEREAS, upon the Oversight Board's approval of the Administrative Budget, the Administrative Budget will be provided to the County of Orange Auditor-Controller pursuant to Health and Safety Code Section 34177(k) so that the Successor Agency's estimated administrative costs in the approved Administrative Budget will be paid from property tax revenues deposited into the Redevelopment Property Tax Trust Fund for the upcoming six-month period; and

WHEREAS, pursuant to Section 34180(h) the Successor Agency may request authorization from the Oversight Board for the Successor Agency and the City of San Juan Capistrano to enter into an agreement to ensure provision of the necessary services from the City to support Successor Agency responsibilities in winding down the activities of the former Agency, including the estimated costs set forth in the Administrative Budget; and

WHEREAS, the Successor Agency adopted Resolution No. SACRA 12-05-01-01 on May 1, 2012, to enter into that certain "Agreement for Reimbursement of Costs and City/Successor Agency Operations Loan" ("Costs Reimbursement Agreement"), which agreement authorizes the reimbursement of costs incurred by the City to support Successor Agency operations and obligations; and

WHEREAS, the Oversight Board adopted Resolution No. 12-05-02-01 on May 2, 2012, to authorize the Successor Agency to enter into an agreement with the City for administrative support; and

WHEREAS, the Successor Agency adopted Resolution No. SACRA 12-05-01-01 on May 1, 2012, to approve the Administrative Budget for the period from February 1, 2012 to June 30, 2012; and

WHEREAS, the Oversight Board adopted Resolution No. 12-05-02-01 on May 2, 2012, to approve the Administrative Budget for the period from February 1, 2012 to June 30, 2012; and

WHEREAS, the City Council, on behalf of the City acting solely in its capacity as Successor Agency to the Agency, has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, in its capacity as Successor Agency to the Agency, and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of San Juan Capistrano, acting solely as the Successor Agency to the Community Redevelopment Agency, does hereby resolve as follows:

Section 1. The foregoing Recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

Section 2. Pursuant to CRL Section 34177(j), the City Council, acting solely as a Successor Agency to the Agency, hereby approves the Administrative Budget, attached hereto as Exhibit A and incorporated by this reference.

Section 3. The City Manager or her authorized designees are further authorized and directed to submit the Successor Agency Administrative Budget to the Oversight Board on behalf of the City.

Section 4. Upon approval by the Oversight Board, the City Council, acting solely as a Successor Agency to the Agency, authorizes the Successor Agency to transmit the Administrative Budget to the County of Orange Auditor-Controller, the California State Department of Finance, and the State Controller's Office.

Section 5. Upon approval by the Oversight Board, the City Council, acting solely as a Successor Agency to the Agency, the City Manager or her authorized designees are directed to post the Administrative Budget on the City/Successor Agency website.

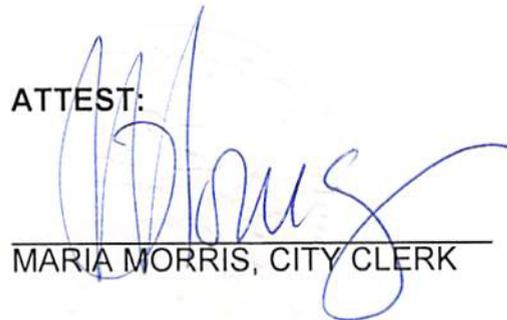
Section 6. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 19th day of June 2012.

**CITY OF SAN JUAN CAPISTRANO, ACTING
SOLELY IN ITS CAPACITY AS A
SUCCESSOR AGENCY**


LARRY KRAMER, MAYOR

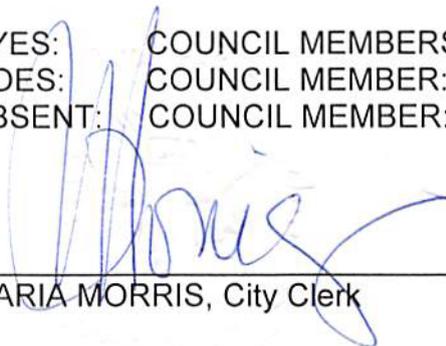
ATTEST:


MARIA MORRIS, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS.
CITY OF SAN JUAN CAPISTRANO)

I, MARIA MORRIS, appointed City Clerk of the Successor Agency to the Community Redevelopment Agency, do hereby certify that the foregoing **SACRA Resolution No. 12-06-20-01** was duly adopted by the City Council of the City of San Juan Capistrano at a special meeting thereof, held on this 20th day of June, 2012, by the following vote:

AYES: COUNCIL MEMBERS: Freese, Allevato, Reeve, Taylor and Mayor Kramer
NOES: COUNCIL MEMBER: None
ABSENT: COUNCIL MEMBER: None



MARIA MORRIS, City Clerk



SUCCESSOR AGENCY ADMINISTRATIVE BUDGET

July 1, 2012 to December 31, 2012

Expenditure Category	Description	Total	Funding Source	
			RPTTF (4)	Rents
Salaries and benefits (1)	Successor Agency share of City employee's salaries and benefits	\$104,000	\$95,000	\$9,000
Legal services (2)	Contract for legal services	30,000	30,000	
Other (3)	Successor Agency share of utilities, supplies, and bond administration costs associated with outstanding debt of the former redevelopment agency	6,000		6,000
Total Administrative Expenses		\$140,000	\$125,000	\$15,000

(1) Administrative costs for salaries and benefits and overhead costs are identified on Page 4, Line 3 of the Successor Agency's Recognized Obligation Payment Schedule (ROPS).

(2) Legal services are identified on Page 4, Line 4 of the Successor Agency's ROPS.

(3) Other administrative costs are identified on Page 4, Line 19 of the Successor Agency's ROPS.

(4) For Fiscal Year 2012-2013, the City, as the Successor Agency, is entitled to receive up to 3% of the portion of its Redevelopment Property Tax Trust Fund (RPTTF), but not less than \$250,000, to meet the administrative expenses of serving as the Successor Agency.