

OVERSIGHT BOARD RESOLUTION NO. 12-06-20-01

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF 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, pursuant to Health and Safety Code Section 34179 the Successor Agency's Oversight Board has been formed and the initial meeting has occurred on April 9, 2012; and

WHEREAS, Section 34179 provides that the Oversight Board has fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of Part 1.85 of the Dissolution Act; and

WHEREAS, Health and Safety Code Section 34177(j) requires the Successor Agency to prepare a proposed Administrative Budget covering the upcoming six month period and submit it to the Oversight Board for approval; 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 Successor Agency's proposed Administrative Budget for the period from February 1, 2012 to June 30, 2012 was approved by Oversight Board on May 2, 2012 by Resolution No. 2012-05-02-01; and

WHEREAS, the Successor Agency's proposed Administrative Budget for the period from July 1, 2012 to December 31, 2012 has been submitted to the Oversight Board for its review and approval; and

WHEREAS, the Administrative Budget, as approved by the Oversight Board, 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, the Oversight Board approves the Successor Agency's proposed Administrative Budget for the period from July 1, 2012 to December 31, 2012; and

WHEREAS, pursuant to the Dissolution Act, the actions of the Oversight Board, including those approved by this Resolution, do not become effective for three (3) business days pending any request for review by the State Department of Finance (DOF), and if the DOF requests review hereof, DOF will have 10 days from the date of its request to approve this Oversight Board action or return it to the Oversight Board for reconsideration and the action, if subject to review by DOF, will not be effective until approved by DOF.

NOW THEREFORE, BE IT RESOLVED, that the Oversight Board to the Successor Agency of the San Juan Capistrano 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 Oversight Board approves the Successor Agency's proposed Administrative Budget, attached hereto as Exhibit A and incorporated by this reference.

Section 3. The Oversight Board 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 4. The City Manager or her authorized designees are directed to post the Administrative Budget on the City/Successor Agency website.

Section 5. The Oversight Board Secretary shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 20th day of June 2012.



Laura Freese, Chair

ATTEST:

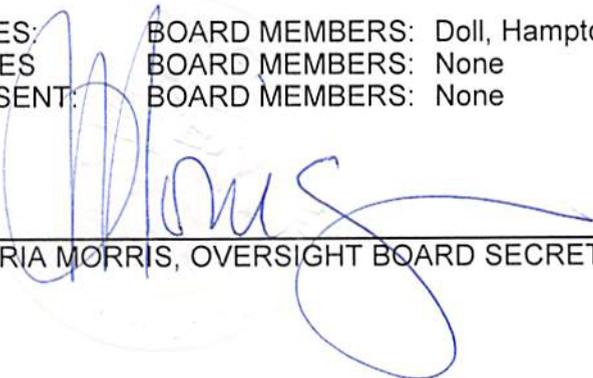


Maria Morris, Oversight Board Secretary

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

I, MARIA MORRIS, appointed Oversight Board Secretary of the Oversight Board to the Successor Agency of the San Juan Capistrano Community Redevelopment Agency, do hereby certify that the foregoing **Oversight Resolution 12-06-20-01** was duly adopted by the Board Members of the Oversight Board to the Successor Agency of the San Juan Capistrano Community Redevelopment Agency at a special meeting thereof, held the 20th day of June, 2012, by the following vote:

AYES: BOARD MEMBERS: Doll, Hampton, McCord, Tatarian, Thomas, Kerr and Chair Freese
NOES BOARD MEMBERS: None
ABSENT: BOARD MEMBERS: None



MARIA MORRIS, OVERSIGHT BOARD SECRETARY

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.