

RESOLUTION NO. SACRA 12-04-17-01

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, ADOPTING THE DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD FROM JULY 1, 2012 TO DECEMBER 31, 2012

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, the Redevelopment Plan as promulgated by the City Council and the governing board of the Agency ("Redevelopment Plan") and the boundaries of the Redevelopment Plan ("Project Area") were duly established by ordinances of the City Council; and

WHEREAS, Parts 1.8 and 1.85 of Division 24 of the CRL were added by Assembly Bill X1 26 ("2011 Redevelopment Legislation"); and

WHEREAS, Part 1.85 of the CRL added by the 2011 Redevelopment Legislation ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, and provides that, thereafter, a successor agency will administer the enforceable obligations of the Agency and otherwise wind down its affairs, all subject to the review and approval of an oversight committee; and

WHEREAS, Part 1.8 of the CRL added by the Redevelopment Legislation ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding down of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, as part of this wind down process, all redevelopment agencies were required to file a schedule of those "enforceable obligations" that require payments to be made through the end of the calendar year 2011 ("Enforceable Obligation Payment Schedule"); and

WHEREAS, the Agency approved Resolution No. CRA 11-08-16-01 adopting the Enforceable Obligation Payment Schedule (EOPS) on August 16, 2011, and approved Resolution No. CRA 11-11-15-01 amending the EOPS on November 15, 2011 and reserved the right to amend it from time to time as necessary; and

WHEREAS, by its Resolution No. 12-01-24-01 the Agency amended the EOPS to provide for payments to be made under enforceable obligations during the period of time from January 1, 2012 through December 31, 2012; and

WHEREAS, Part 1.85 further requires the adoption of a Recognized Obligation Payment Schedule (ROPS) by the Successor Agency for the Period from January 1, 2012 through December 31, 2012; and

WHEREAS, by its Resolution No. 12-03-06-01 the City Council, acting solely in its capacity as Successor Agency, approved and authorized the transmittal of the draft ROPS for the period from January 1, 2012 through June 30, 2012 to the Oversight Board which is required under 2011 Redevelopment Legislation; and

WHEREAS, a draft Recognized Payment Schedule for the period from July 1, 2012 through December 31, 2012 is attached to this resolution as Exhibit A and is incorporated herein (the "Draft ROPS"). By this resolution, the City Council, acting solely in its capacity as Successor Agency, approves and authorizes the transmittal of the Draft ROPS to the oversight board ("Oversight Board") which is required under 2011 Redevelopment Legislation to be established in relation to the Agency;

WHEREAS, given the adoption of the 2011 Redevelopment Legislation, the City Council, on behalf of the City acting 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, the City Council, acting solely as a Successor Agency to the Agency, hereby adopts the Draft ROPS. The City Manager, on behalf of the City in its capacity as a Successor Agency, is authorized to modify the Draft ROPS as the City Manager shall deem necessary or appropriate.

Section 3. The City Manager is further authorized and directed to post the Draft ROPS on the City website and to notify the county auditor, the State Department of Finance, and the Controller of the State concerning this Resolution, the Draft ROPS, and its online publication.

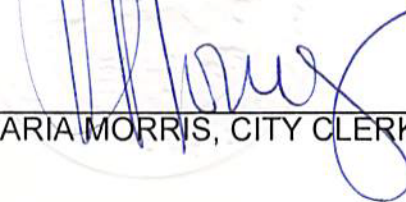
Section 4. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 17th day of April , 2012.

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


LARRY KRAMER, MAYOR

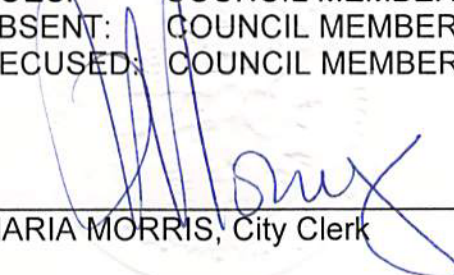
ATTEST:


MARIA MORRIS, CITY CLERK

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

I, MARIA MORRIS, appointed City Clerk of the City of San Juan Capistrano, do hereby certify that the foregoing Resolution No. SACRA 12-04-17-01 was duly adopted by the City Council of the City of San Juan Capistrano at a Regular meeting thereof, held the 17th day of April 2012, by the following vote:

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


MARIA MORRIS, City Clerk

Per AB X1 26 - Section 34167 and 34169 (*)

As of April 17, 2012

Exhibit A - Payments July 1 through December 31, 2012

							Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Source	Payments by Month						
	Project Name / Debt Obligation	Payee	Description	Date	Notes					July-12	August-12	September-12	October-12	November-12	December-12	Total
	1987 Subordinated Taxable Tax Allocation Bonds	Bank of New York	Affordable Housing Projects Advance Refunding of the 1991 Tax Allocation Bonds	1997			\$ 830,000.00	180,413.00	C						27,706.50	\$ 27,706.50
	1) 1998 Tax Allocation Refunding Bonds	U.S. Bank, N.A.	Finance Agency Projects in the Central Project Area consistent with the Redevelopment Plan	1998	1		\$ 2,280,000.00	514,512.00	C						44,958.00	\$ 44,958.00
	2) 2008 Tax Allocation Bonds, Series A (Taxable)	U.S. Bank, N.A.	Finance Agency Affordable Housing Projects	2008	1		\$ 8,990,000.00	641,494.00	C						183,384.00	\$ 183,384.00
	3) 2008 Tax Allocation Bonds, Series B (Taxable)	U.S. Bank, N.A.	Elimination of Blight/Economic Development	2008 June 1997	1		\$ 9,825,000.00	661,085.00	C						302,438.00	\$ 302,438.00
	4) OPA-Fluidmaster	Fluidmaster, Inc.	Elimination of Blight/Business Retention	Apr. 2001			\$ 274,760.00	40,000.00	C						-	\$ -
	5) OPA-Capistrano Volkswagen	Miles Brandon	Elimination of Blight/Economic Development	Apr. 2003			\$ 286,783.00	35,000.00	C						-	\$ -
	6) OPA-Sierra Vista	Sierra Vista Partners	Elimination of Blight/Business Retention	Oct. 2010			\$ 72,621.00	6,800.00	C						-	\$ -
	7) Agreement-TCAG Ford	Tuttle Click Automotive Group (TCAG, Inc.)	Elimination of Blight/Economic Development	Jan. 2011			\$ 1,850,000.00	150,000.00	C						75,000.00	\$ 75,000.00
	8) Agreement-OC Chrysler	Chrysler Group Realty Co., LLC	Property Acquisition/Economic Development	Feb. 2011	1		\$ 1,625,000.00	75,000.00	C				33,129.40		37,500.00	\$ 37,500.00
	9) Lower Rosan Ranch - Loan Payable	Farmet's & Merchants Bank	Property Acquisition/parks & Ag. Preservation	Feb. 2011	1		\$ 3,920,000.00	395,000.00	C						107,702.50	\$ 107,702.50
	10) Kinoshita Acquisition - Note Extension	Kinoshita Enterprises, L.P.	Property Acquisition/parks & Ag. Preservation	Feb. 2011	1		\$ 3,916,450.00	215,405.00	C						112,207.00	\$ 112,207.00
	11) Bobby Kinoshtia Investment Enterprises, L.P.	Bobby Kinoshtia Investment Enterprises, L.P.	Long-Term Debt Obligations				\$ 4,080,247.00	224,414.00	C						-	\$ -
	12) Totals - This Page						\$ 37,950,861.00	\$ 3,139,123.00		\$ -	\$ -	\$ -	\$ 33,129.40	\$ 33,129.40	\$ 1,023,413.60	\$ 1,089,672.40
(A)	Low and Moderate Income Housing Fund		Amounts Due to City				\$ 6,594,152.00	\$ 950,000.00		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 500,000.00	\$ 500,000.00
(B)	Bond proceeds		Contractual Project Obligations				\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(C)	Tax Increment		FY 2011/12 Pass-through agreements, rental subsidy, administrative costs and other operational contractual obligations				\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(D)	Other Revenue Sources such as rent/interest earnings						\$ 534,340.00	\$ 1,040,142.00		\$ -	\$ -	\$ -	\$ 43,515.42	\$ 46,985.42	\$ 433,040.18	\$ 523,541.02
(E)	Totals - All Pages						\$ 45,079,353.00	\$ 5,129,265.00		\$ -	\$ -	\$ -	\$ 76,644.82	\$ 80,114.82	\$ 1,956,453.78	\$ 2,113,213.42

* - This Recognized Obligation Payment Schedule (ROPS), is based on the Enforceable Obligation Payment Schedule adopted by Resolution No. CRA 12-01-24-01.

Note 1 - Amounts in the December 2012 column include payments due between January 1 through March 31, 2013.

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Per AB X1 26 - Section 34167 and 34169 (*)

As of April 17, 2012

Exhibit A - Payments July 1 through December 31, 2012

Project Name / Debt Obligation	Payee	Description	Date	Notes	Total Outstanding Debt or Obligation	Total Due During Fiscal Year**	Source	Payments by Month					Total					
								July-12	August-12	September-12	October-12	November-12		December-12				
1) Cooperation Agreement - Capistrano Pointe	City of San Juan Capistrano	Developer Assistance/Affordable Housing	Mar. 1985	1	1,500,747.00	500,000.00	C					500,000.00	\$ 500,000.00					
2) Tax Anticipation Agreement	City of San Juan Capistrano	Elimination of Blight/Economic Development	FY 89-90	2	3,210,329.00	250,000.00	C						\$ -					
3) Trullis Acquisition - Loan Agreement	City of San Juan Capistrano	Property Acquisition/Elimination of Blight	Oct. 1998	3	362,711.00	50,000.00	C						\$ -					
4) Administration Loan Agreement	City of San Juan Capistrano	Administration/Project Costs	June 2004	4	1,520,365.00	150,000.00	C						\$ -					
5)													\$ -					
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Totals - This Page									\$	6,594,152.00	\$	950,000.00	\$	-	\$	500,000.00	\$	500,000.00

Source:

- (A) Low and Moderate Income Housing Fund
(B) Bond proceeds
(C) Tax increment
(D) Other Revenue Sources such as rent/interest earnings

* - This Recognized Obligation Payment Schedule (ROPS), is based on the Enforceable Obligation Payment Schedule adopted by Resolution No. CRA 12-01-24-01.

** - Payments historically made in June of each fiscal year.

Note 1 - Amounts due based on tax increment available as determined by the Agency.

Note 2 - Amounts due based on tax increment available as determined by the Agency.

Note 3 - Amounts due upon sale of Lower Rosan Ranch property.

Note 4 - Amounts due beginning in July 1, 2023 or sooner, based on tax increment available as determined by the Agency.

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Per AB X1 26 - Section 34167 and 34169 (*)

As of April 17, 2012

Exhibit A - Payments July 1 through December 31, 2012

Project Name / Debt Obligation	Payee	Description	Date	Note	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Source	Payments by Month					Total
								July-12	August-12	September-12	October-12	November-12	December-12
1) OPA - Paseo De Verdugo	26755 Verdugo St., LLC	Elimination of Blight/Economic Development	Feb. 2009 Amended Mar. 2011	1	0.00	0.00	C						\$ -
2) OPA - OC Chrysler - Initial Pymt	Chrysler Group Realty Co., LLC	Removal of Blight/Economic Development	Jan. 2011	1	0.00	0.00	C						\$ -
3) The Groves Affordable Housing	RRM Design Group	Land Planning and Environmental Svcs.	August 3, 2010	1	0.00	0.00	C						\$ -
4) Downtown Master Plan	Perkowitz & Ruth, DBA Studio One Eleven	Land Planning and Environmental Svcs.	February 11, 2010	1	0.00	0.00	C						\$ -
5) Del Obispo/Camino Capistrano Imp.	RBF Consulting	Engineering Services	June 14, 2011	1	0.00	0.00	C						\$ -
6) Del Obispo/Camino Capistrano Imp.	RBF Consulting	Engineering Services	June 16, 2011	1	0.00	0.00	C						\$ -
7) Improvements (CRA Share)	J. Serral/Rancho Viejo Rd. Engineering	Intersection Improvements	November 16, 2010	1	0.00	0.00	C						\$ -
8) Ortega Highway Sidewalk Expansion	Boghossian Engineering	Engineering Services	December 7, 2010	1	0.00	0.00	C						\$ -
9) The Groves Affordable Housing	Scientific Resource Survey	Archaeological Services	June 6, 2011		0.00	0.00	C						\$ -
10) The Groves Affordable Housing	Leighton & Associates	Soils Testing	June 27, 2011	1	0.00	0.00	C						\$ -
11) Letter of Understanding	Mission Village Center	Facade Improvement Program	May 9, 2009	1	0.00	0.00	C						\$ -
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Totals - This Page					\$ -	\$ -		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Source:

(A) Low and Moderate Income Housing Fund

(B) Bond proceeds

(C) Tax Increment

(D) Other Revenue Sources such as rent/interest earnings

* - This Recognized Obligation Payment Schedule (ROPS), is based on the Enforceable Obligation Payment Schedule adopted by Resolution No. CRA 12-01-24-01.

Note 1 - No outstanding obligations as of July 1, 2012.

Name of Redevelopment Agency: San Juan Capistrano Community Redevelopment Agency
Project Area(s): Central Project Area

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Per AB X1 26 - Section 34167 and 34169 (*)
As of April 17, 2012
Exhibit A - Payments July 1 through December 31, 2012

Project Name / Debt Obligation	Payee	Description	Date	Notes	Total Outstanding Debt or Obligation**	Total Due During Fiscal Year	Source	Payments by Month					Total	
								July-12	August-12	September-12	October-12	November-12		December-12
Administrative Costs - Staff	City of San Juan Capistrano	Costs incurred by City for staff time in support of Agency activities		2	0.00	156,207.00	C/D						78,103.50	\$ 78,103.50
Monitoring for ongoing housing activities	City of San Juan Capistrano	Costs incurred by City for staff time in support of Affordable Housing Activities		2	0.00	104,810.00	C/D						52,405.00	\$ 52,405.00
Administrative Cost Allowance	City of San Juan Capistrano	3% allowance for administrative costs incurred		2	0.00	250,000.00	C/D						125,000.00	\$ 125,000.00
Legal Services Agreement dated August 20, 1991	Stradling, Yocca, Carlson & Rauth	Legal services - redevelopment activities	08-20-91	3, 6	0.00	60,000.00	C/D				5,000.00		20,000.00	\$ 30,000.00
Personal Services Agreement dated February 5, 1997	Woodruff, Spradlin & Smart	Legal services - redevelopment activities	02-05-97	3, 6	0.00	30,000.00	C/D				2,500.00		10,000.00	\$ 15,000.00
Personal Services Agreement dated May 3, 2011	Rogers, Anderson, Melody and Scott	Audit Services - FY ending June 30, 2012	05-03-11	4, 6	0.00	6,940.00	C/D					3,470.00	3,470.00	\$ 6,940.00
Personal Services Agreement dated June 7, 2011	MDM Associates	Rental Subsidy Program Management	06-07-11	4, 6	0.00	43,155.00	A				3,596.25		14,385.00	\$ 21,577.50
Personal Services Agreement dated June 7, 2011	MDM Associates	Little Hollywood Program Management	06-07-11	4, 6	0.00	125,940.00	A				10,495.00		41,980.00	\$ 62,970.00
Rental Subsidy Agmt Dec. 2008-Dec. 2013	Gulab Bhatia	Rental Subsidy Program	Dec. 2008	5, 6	31,500.00	21,000.00	A				1,750.00		7,000.00	\$ 10,500.00
Rental Subsidy Agmt Sept. 2011-June 2016	Vince Hughes ****	Rental Subsidy Program	Sept. 2011	5, 6	40,800.00	20,400.00	A				1,700.00		6,800.00	\$ 10,200.00
Rental Subsidy Agmt - May 2011 - May 2016	H. Kashani	Rental Subsidy Program	May 2011	5, 6	95,000.00	22,800.00	A				1,900.00		7,600.00	\$ 11,400.00
Rental Subsidy Agmt - June 2009-June 2014	Tom McCormell	Rental Subsidy Program	June 2009	5, 6	36,000.00	18,000.00	A				1,500.00		6,000.00	\$ 9,000.00
Rental Subsidy Agmt - July 2008 - July 2013	Lorna Webber	Rental Subsidy Program	July 2008	5, 6	21,600.00	21,600.00	A				1,800.00		7,200.00	\$ 10,800.00
Rental Subsidy Agmt - May 2011 - May 2016	Stacey Kennedy	Rental Subsidy Program	May 2011	5, 6	94,000.00	24,000.00	A				2,000.00		8,000.00	\$ 12,000.00
Rental Subsidy Agmt - Dec. 2010- Dec. 2015	Angel Alaniz	Rental Subsidy Program	Dec. 2010	5, 6	84,420.00	24,120.00	A				2,010.00		8,040.00	\$ 12,060.00
Rental Subsidy Agmt - Oct. 2008 - Oct. 2013	Mr. Meadors	Rental Subsidy Program	Oct. 2008	5, 6	28,000.00	21,000.00	A				1,750.00		7,000.00	\$ 10,500.00
Rental Subsidy Agmt - Dec. 2010-Dec. 2020	Carol Elin	Rental Subsidy Program	Dec. 2010	5, 6	103,020.00	12,120.00	A				1,010.00		4,040.00	\$ 6,060.00
		Various maintenance costs to maintain rental housing funded by rents - utilities, plumbing, electrical, landscaping, cleaning, repairs, pest control, possessory interest tax, etc.		6	0.00	78,050.00	A				6,504.17		26,016.68	\$ 39,025.02
18) Little Hollywood Rental	Various Vendors													
Obligations								\$ -	\$ -	\$ -	\$ 43,515.42	\$ 46,985.42	\$ 433,040.18	\$ 523,541.02

Source:

- (A) Low and Moderate Income Housing Fund
- (B) Bond proceeds
- (C) Tax Increment
- (D) Other Revenue Sources such as rent/interest earnings

* - This Recognized Obligation Payment Schedule (ROPS), is based on the Enforceable Obligation Payment Schedule adopted by Resolution No. CRA 12-01-24-01.

Note 1 - Pass Thru Agreement Amounts for FY 2012/13 based on the projected tax increment.

Note 2 - Amounts based on FY 2012/13 projections.

Note 3 - Fee Agreements, projected cost based on prior year monthly costs, adopted budget and adjustments for costs associated with new legislation.

Note 4 - Amounts based on approved contract amounts prior to June 28, 2011.

Note 5 - Amounts based on approved contract amounts dated prior to June 28, 2011.

Note 6 - Amounts in the December 2012 column include payments due between January 1 through March 31, 2013.