

**OROVILLE REDEVELOPMENT AGENCY  
RESOLUTION NO. 11-29**

**A RESOLUTION OF THE OROVILLE REDEVELOPMENT AGENCY APPROVING AN AMENDMENT TO THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE PURSUANT TO AB 1X 26**

**WHEREAS**, in connection with approval and adoption of the State Budget for Fiscal Year 2011-2012, the California Legislature approved, and the Governor signed (i) ABx1 26, which immediately suspended all legal redevelopment activities and incurrence of indebtedness, and dissolves redevelopment agencies effective October 1, 2011 (the "Dissolution Act"); and (ii) ABx1 27, which allows redevelopment agencies to avoid the consequences of the Dissolution Act and continue their redevelopment agency if the community elects to comply with the Alternative Redevelopment Program described in Part 1.9 of ABx1 27 (the "Alternate Redevelopment Program"). The Alternate Redevelopment Program requires the participating communities to remit, annually, "voluntary" payments to school entities and special districts; and

**WHEREAS**, the City adopted an Urgency Ordinance on July 19, 2011, to continue Agency operations under the provisions of AB 1x 27; and

**WHEREAS**, the California Redevelopment Association and the League of California Cities filed a lawsuit challenging the constitutionality of ABX1 26 & 27, and requested the Supreme Court to hear the case; and

**WHEREAS**, on August 11, 2011, the California Supreme Court agreed to take the case and issued an immediate stay of AB 1X 27 in its entirety and a stay of AB 1X 26 except for Health and Safety Code Sections 34161 through 34167, which required redevelopment agencies to adopt by August 27, 2011, an Enforceable Obligation Payment Schedule ("EOPS") which will serve as the basis for the payment of the Agency's outstanding financial obligations; and

**WHEREAS**, on December 29, 2012, the California Supreme Court upheld AB 1X 26, the Dissolution Act, and found AB 1X 27 to be unconstitutional. The Court modified the dissolution date to February 1, 2012; the day where all redevelopment agencies in California will cease to exist; and

**WHEREAS**, the following EOPS schedule is an amendment to the EOPS that was prepared and adopted by the Oroville Redevelopment Agency on August 26, 2011. The EOPS is important as it becomes the governing document to the Successor Agency to fund debt and other legal obligations.

**NOW, THEREFORE, THE CITY OF OROVILLE DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and incorporated herein by reference.

**Section 2. Approval of EOPS.** The Oroville Redevelopment Agency hereby approves and adopts the amended Enforceable Obligation Payment Schedule ("EOPS") pursuant to AB 1X 26 (see Exhibit A).

**Section 3. Posting; Transmittal to Appropriate Agencies.** The Executive Director is hereby authorized and directed to post a copy of the amended EOPS on the City's website. The Executive Director is further authorized and directed to transmit, by mail or electronic means, to the Butte County Auditor-Controller, the State Controller and the California Department of Finance, notification providing the website location of the posted amended EOPS and other information as required by AB 1X 26.

**SECTION XI.** The Secretary shall attest to the adoption of this Resolution.

**PASSED AND ADOPTED** by the Oroville Redevelopment Commission at a special joint meeting on January 30, 2012, by the following vote:

AYES: Commissioners Andoe, Bunker, Simpson, Wilcox, Vice Chairperson  
Pittman, Chairperson Berry


NOES: None

ABSTAIN: None

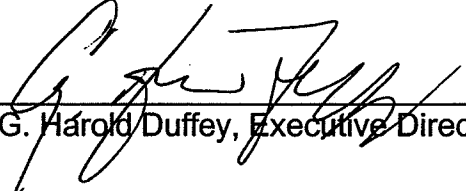
ABSENT: Commissioner Dahlmeier

  
\_\_\_\_\_  
Jack Berry, Chairperson

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Scott E. Huber, Agency Counsel

ATTEST:

  
\_\_\_\_\_  
G. Harold Duffey, Executive Director

**EXHIBIT A**

**ENFORCEABLE OBLIGATION PAYMENT SCHEDULE**

**ENFORCEABLE OBLIGATION PAYMENT SCHEDULE**  
Per AB 1X 28 - Section 34167 and 34168 (\*)

Project Name / Debt Obligation	Payee	Description	Total EOPS # 1 Due During Fiscal Year	Fiscal Year 2011/2012						
				EOPS # 1						
				Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	
1. 2002 Tax Allocation Bonds	Union Bank	Bonds issue to fund non-housing projects	\$ 1,220,218		335,109					885,109
2. 2004 Tax Allocation Bonds - Series A	Union Bank	Bonds issue to fund non-housing projects	\$ 412,806		206,403					206,403
3. 2004 Tax Allocation Bonds - Series B	Union Bank	Fees for fiscal agent services / Continuing disclosure reporting for tax allocation bonds	\$ 303,258		34,129					269,129
4. Fiscal Agent Fees and Bond Disclosure	Underwriter	Funding to implement Regional Housing Needs Analysis housing requirements for the City of Oroville	\$ 15,270		4,320					10,950
5. Housing Set Aside	City of Oroville	City Loan entered into on February 7, 1986. Current principal is \$1,800,000. Agency to repay City.	\$ 1,478,808	123,234	123,234	123,234	123,234	123,234	123,234	862,638
6. City of Oroville Loan Reimbursement	City of Oroville		\$ 1,800,000	1,800,000						
7. Successor Agency Administrative Overhead	City of Oroville	Office space, equipment, supplies, etc. Staffing costs for ongoing administration and operation of successor agency, including salaries and benefits	\$ 1,318,586	86,641	111,995	111,995	111,995	111,995	111,995	783,965
8. Successor Agency Operational Staffing Costs	City of Oroville	Cooperative Agreement for Fed Brownfield Program	\$ 216,852	43,778	15,734	15,734	15,734	15,734	15,734	110,138
9. US EPA Brownfields Assessment Grant	Brown and Caldwell, Inc.		\$ 325,758	54,293	54,293	54,293	54,293	54,293	54,293	54,293
10. Orange Tree Senior Housing Project	Petaluma Ecomercial Properties	Development Agreement to construct senior affordable housing	\$ 1,000,000							1,000,000
11. Staffing costs to administer Housing Programs	City of Oroville	Housing Grant Obligations requiring monitoring. Staffing costs for ongoing management of the project / Labor Consultation + Administrative Sub Contractor	\$ 191,496	15,958	15,958	15,958	15,958	15,958	15,958	111,706
12. Orange Tree Senior Housing Project Management	City of Oroville		\$ 100,000							100,000
13. Hillview Ridge Apartments, Phase II Project Management	City of Oroville	Staffing costs for ongoing management of the project	\$ 25,000		12,500	12,500				
14. Minor Home Repair Program	R.D. Prater Contract	Professional Services Agreement for minor home repair program	\$ 41,250	3,750	3,750	3,750	3,750	3,750	3,750	26,250
15. Monitoring Multi-Family Project Management	City of Oroville	Annual Long Term Monitoring	\$ 40,000							40,000
16. Project and Grant Administration	R.L. Hastings, Inc. Contract	Professional Services Agreement for Hillview Ridge, New Construction Projects, Labor Standards Compliance.	\$ 7,500	1,500	1,500	1,500	1,500	1,500	1,500	1,500
17. Landscaping Services	Skipper Clark Contract	Professional Services Agreement for landscaping of agency properties that will transfer to the successor agency	\$ 5,940	5,940						
18. Consulting for Project/Financial Administration	Rosenow, Spavecek Group Contract	Professional Services Agreement to help implement RDA/Successor Agency transition	\$ 12,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
19. Table Mountain Golf Club House	Table Mountain Golf Club, Inc.	Loan Agreement	\$ 250,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
20. Oroville Enterprise Zone	City of Oroville	State of California - HCD Agreement for the City to perform Enterprise Zone Activities	\$ 167,004	13,917	13,917	13,917	13,917	13,917	13,917	97,419
21. Home Grant (Housing)	City of Oroville	Matching Funds for HOME Grant	\$ 150,000	7,500	7,500	7,500	7,500	7,500	7,500	120,000
22. Musselman Pictures	Chris Smith	Video of Successor Agency meetings	\$ 1,435	287	287	287	287	287	287	287
23. Coia Cole Professional Services - Legal Services	Coia Cole	Legal Services for Code Enforcement actions	\$ 4,096	3,830						
24. Coia Cole Professional Services - Legal Services	Coia Cole	Anticipated Legal Services for implementation of Successor Agency	\$ 110,000	10,000	10,000	10,000	10,000	10,000	10,000	70,000
25. Levee Investigation - HDR Professional Services	HDR Engineering	Levee Investigation - Feather River	\$ 147,840	24,640	24,640	24,640	24,640	24,640	24,640	24,640
<b>TOTAL EOPS COST</b>			\$ 9,345,617	2,162,727	1,027,769	447,808	436,308	436,308	436,308	4,826,927