

Resolution No. **OB 2015-09-23-0902**

STOCKTON SUCCESSOR AGENCY OVERSIGHT BOARD

**RESOLUTION ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE
AND APPROVING CERTAIN RELATED ACTIONS**

The Redevelopment Agency ("Redevelopment Agency") for the City of Stockton ("City") was duly created pursuant to the California Community Redevelopment Law (Part 1 [commencing with section 33000] of Division 24 of the California Health and Safety Code) ("Redevelopment Law"); and

On June 28, 2011, the Governor of California signed into law Assembly Bill x1 26 ("AB x1 26") and Assembly Bill 27 ("AB 27") making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with section 34161) and Part 1.85 (commencing with section 34170) ("Part 1.85") to Division 24 of the California Health and Safety Code ("Health and Safety Code"); and

On December 29, 2011, the Supreme Court upheld AB x1 26 as constitutional and invalidated AB 27 (*California Redevelopment Association, et al. v. Matosantos, et al.*, Case No. S194861) and generally reformed and revised the effective dates and deadlines for performance of obligations under Health and Safety Code Part 1.85; and

As a result of the ruling, on February 1, 2012, all California redevelopment agencies were dissolved and each city or county was allowed to establish itself as the successor agency to its redevelopment agency pursuant to Health and Safety Code section 34173; and

On August 23, 2011, pursuant to Part 1.85, the Stockton City Council adopted Resolution No. 11-0251, allowing the City to serve as the successor agency to the former Redevelopment Agency of the City of Stockton ("Successor Agency") upon dissolution of the Redevelopment Agency; and

Successor agencies are tasked with paying, performing, and enforcing the enforceable obligations of the former redevelopment agencies and winding down the affairs of the former redevelopment agencies; and

Pursuant to Health and Safety Code section 34177(l)(1), the Successor Agency is required to prepare a Recognized Obligation Payment Schedule ("ROPS") prior to each six-month fiscal period; and

For each recognized obligation, the ROPS must identify one or more of the following sources of payment: (i) Low and Moderate Income Housing Funds, (ii) bond proceeds, (iii) reserve balances, (iv) administrative cost allowance, and (v) the Redevelopment Property Tax Trust Fund but only to the extent no other funding source

is available or when payment from property tax revenues is required by an enforceable obligation or by the provision of Part 1.85 of AB x1 26; and

On June 27, 2012, the Governor of California signed into law Assembly Bill 1484 ("AB 1484") which imposes new tasks, deadlines, and penalties on successor agencies and their sponsoring City and/or County; and

Pursuant to AB 1484, the ROPS for January 1, 2016 through June 30, 2016, must be approved by the Oversight Board and submitted to the County Auditor-Controller, the State Controller's Office, California Department of Finance, and posted online no later than October 5, 2015; and

The Successor Agency's ROPS, which is consistent with the requirements of the Health and Safety Code and other applicable law, is attached to this Resolution as Exhibit "1"; and

This Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, section 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines; and

This Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines; and

All of the prerequisites with respect to the approval of this Resolution have been met; now, therefore,

BE IT RESOLVED BY THE STOCKTON SUCCESSOR AGENCY OVERSIGHT BOARD, AS FOLLOWS:


1. The foregoing is true and correct and is a substantive part of this Resolution and all prerequisites to its adoption have occurred.
2. The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any rights the Successor Agency may have to challenge the effectiveness and/or legality of all or any portion of AB x1 26 or AB 1484 through administrative or judicial proceedings.
3. The Successor Agency hereby adopts the ROPS, attached hereto as Exhibit 1 and incorporated herein by this reference, to preserve its rights to make payments as authorized under Health and Safety Code section 34177.
4. The Executive Director, or designee, is hereby authorized and directed to submit the ROPS in accordance with Health and Safety Code section 34177(l)(2) .

5. The Successor Agency determines that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per section 15378(b)(5) of the Guidelines.

6. This Resolution shall take effect five (5) business days following the date of its adoption.

7. The Executive Director, or designee, is hereby authorized to take such actions as are necessary and appropriate to comply with Health and Safety Code section 34177 and to carry out the purposes and intent of this Resolution.

PASSED, APPROVED, and ADOPTED September 23, 2015.



PAUL SENSIBAUGH, Chair
of the Stockton Successor Agency
Oversight Board

ATTEST:



BONNIE PAIGE, Secretary
of the Stockton Successor Agency
Oversight Board



Recognized Obligation Payment Schedule (ROPS 15-16B) - Summary

Filed for the January 1, 2016 through June 30, 2016 Period

Name of Successor Agency: Stockton City
 Name of County: San Joaquin

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A Sources (B+C+D):		\$ 69,425
B Bond Proceeds Funding (ROPS Detail)		-
C Reserve Balance Funding (ROPS Detail)		-
D Other Funding (ROPS Detail)		69,425
E Enforceable Obligations Funded with RPTTF Funding (F+G):		\$ 9,902,368
F Non-Administrative Costs (ROPS Detail)		9,902,368
G Administrative Costs (ROPS Detail)		-
H Total Current Period Enforceable Obligations (A+E):		\$ 9,971,793

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I Enforceable Obligations funded with RPTTF (E):		9,902,368
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)		(1,021,417)
K Adjusted Current Period RPTTF Requested Funding (I-J)		\$ 8,880,951

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L Enforceable Obligations funded with RPTTF (E):		9,902,368
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)		-
N Adjusted Current Period RPTTF Requested Funding (L-M)		9,902,368

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

Name	Title
<i>Paul M. Smalcraft</i>	
/s/ _____	9/23/15
Signature	Date

Stockton City Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail
 January 1, 2016 through June 30, 2016
 (Report Amounts in Whole Dollars)

Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source					Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
										\$	\$	\$	\$	\$	
							\$ 234,848,922		\$ -	\$ -	\$ 69,425	\$ 9,902,368	\$ -	\$ 9,971,79	
1	Low/Mod Housing Bonds COPS	Revenue Bonds Issued On or Before 12/31/10	6/1/2003	9/1/2033	Wells Fargo Corporate Trust	2003 Housing COP	Low/Mod	17,944,694	N				293,952	\$ 293,952	
2	Low/Mod Housing Bonds C	Revenue Bonds Issued On or Before 12/31/10	7/1/2006	9/1/2037	Wells Fargo Corporate Trust	2006 Series C - Revenue Bond	Low/Mod	42,820,263	N				763,330	\$ 763,330	
3	Redevelopment Revenue Bonds Mid	Revenue Bonds Issued On or Before 12/31/10	7/1/2006	9/1/2037	Wells Fargo Corporate Trust	2006 Series A - Revenue Bond	Midtown	17,440,725	N				286,088	\$ 286,088	
4	Redevelopment Revenue Bonds South	Revenue Bonds Issued On or Before 12/31/10	7/1/2006	9/1/2037	Wells Fargo Corporate Trust	2006 Series A - Revenue Bond	South	32,544,963	N				520,019	\$ 520,019	
5	Redevelopment Revenue Bonds North	Revenue Bonds Issued On or Before 12/31/10	7/1/2006	9/1/2037	Wells Fargo Corporate Trust	2006 Series A - Revenue Bond	North	31,830,750	N				461,775	\$ 461,775	
9	Redevelopment Revenue Bonds WF	Revenue Bonds Issued On or Before 12/31/10	3/1/2004	9/1/2036	Wells Fargo Corporate Trust	2004 Revenue Bond - Arena	Waterfront	69,369,022	N				1,025,226	\$ 1,025,226	
10	Low/Mod Housing Bonds COPS rsv	Reserves	6/1/2003	9/1/2033	Wells Fargo Corporate Trust	2003 Housing COP: Retention for debt service payment due in following period.	Low/Mod	-	N				703,952	\$ 703,952	
11	Low/Mod Housing Bonds C rsv	Reserves	7/1/2006	9/1/2037	Wells Fargo Corporate Trust	2006 Series C - Revenue Bond: Retention for debt service payment due in following period.	Low/Mod	-	N				1,363,330	\$ 1,363,330	
12	Redevelopment Revenue Bonds Mid rsv	Reserves	7/1/2006	9/1/2037	Wells Fargo Corporate Trust	2006 Series A - Revenue Bond: Retention for debt service payment due in following period.	Midtown	-	N				641,088	\$ 641,088	
13	Redevelopment Revenue Bonds South rsv	Reserves	7/1/2006	9/1/2037	Wells Fargo Corporate Trust	2006 Series A - Revenue Bond: Retention for debt service payment due in following period.	South	-	N				1,550,019	\$ 1,550,019	
14	Redevelopment Revenue Bonds North rsv	Reserves	7/1/2006	9/1/2037	Wells Fargo Corporate Trust	2006 Series A - Revenue Bond: Retention for debt service in following period.	North	-	N				461,775	\$ 461,775	
18	State Debt	Third-Party Loans	11/15/2001	8/1/2012	State Department of Boating and Waterways	DBAW Planning Loan	Waterfront	34,964	N					\$ 34,964	
19	Fee Deferral	Fees	11/26/2002	8/12/2058	Public Facility Fees	Development Impact fees for 612 Carlton Ave	Midtown	143,954	N					\$ 143,954	
20	Fee Deferral - WorkNet Office Bldg	Fees	8/4/2004	8/4/2059	Public Facility Fees	Development Impact fees for Worknet Office Building	Waterfront	196,950	N					\$ 196,950	
21	Fee Deferral - Complex	Fees	8/29/2003	8/29/2013	Public Facility Fees	Development Impact fees for Complex project	Waterfront	8,117	N					\$ 8,117	
22	Agency Vs. Union Oil	Litigation	9/28/2004	12/31/2099	Brown & Winters and/or Union Oil	Union Oil Dispute Re: Ground Water Contamination (estimated legal costs)	Waterfront	2,000,000	N				10,000	\$ 10,000	
23	Price Vs. City of Stockton	Litigation	1/9/2006	12/31/2010	California Rural Legal Assistance	Tenant relocation assistance \$1,455,000; \$460,652 expended, remaining obligation \$994,348. Replacement of 185 housing units: 146 completed, remaining obligation 39 units @ 30% of AMI (estimated cost \$4M). *Subject to final determination by the parties.	Low/Mod	4,994,348	N				10,000	\$ 10,000	
24	Civic Partners	Litigation	6/25/2005	12/31/2099	Freeman, D'Aluto, Pierce, Gurev, Keeling & Wolf	Developer Claims RDA Breached Contract (Estimated legal defense costs)	Waterfront	3,000,000	N				75,000	\$ 75,000	
27	Agency vs. State (Caltrans)	Litigation	6/27/2005	12/31/2099	Brown & Winters	Caltrans (Coincides with BNSF case). Caltrans is a former owner (Estimated litigation costs)	Waterfront	250,000	N				10,000	\$ 10,000	
28	Agency vs. Colberg	Litigation	6/29/2005	12/31/2099	Brown & Winters	Polanco Act corrective action trial (Estimated litigation costs)	Waterfront	2,000,000	N				10,000	\$ 10,000	

Stockton City Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail
 January 1, 2016 through June 30, 2016
 (Report Amounts in Whole Dollars)

Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source					Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
34	Wallace Kuhl & Associates, 155118	Professional Services	5/15/2007	6/30/2015	Wallace Kuhl & Associates	South Shore	Waterfront	24,528	N				24,528		\$ 24,528
39	Hotel Stockton, LRA340	OPA/DDA/Construction	1/18/2005	1/18/2060	Hotel Stockton Investors	Renovation of Hotel Stockton - for affordable housing	Low/Mod	69,425	N		69,425				\$ 69,425
40	Remediation of Areas 24 and 4	Remediation	7/20/2009	12/31/2099	City of Stockton	Remediation of lots north and south of Worknet site (Estimated cost of Remediation)	Waterfront	500,000	N						\$ -
41	Downtown Stockton Alliance	Property Maintenance	7/10/2007	12/31/2017	Downtown Stockton Alliance	DSA Assessment of RDA owned properties. PBID expiration is 12/31/2017. (Estimated annual cost)	Waterfront	28,000	N				28,000		\$ 28,000
44	SERAF Payment Loan from Low/Mod	SERAF/ERAF	4/26/2011	6/30/2016	Low/Moderate Income Housing Asset Fund	Repayment of loan from Low/Mod Housing funds to make SERAF payment in 2011	Midtown	944,376	N				589,043		\$ 589,043
45	SERAF Payment Loan from Low/Mod	SERAF/ERAF	4/26/2011	6/30/2016	Low/Moderate Income Housing Asset Fund	Repayment of loan from Low/Mod Housing funds to make SERAF payment in 2011	South	944,376	N				589,043		\$ 589,043
46	Loan to Waterfront	Miscellaneous	6/30/2011	12/31/2999	Low/Moderate Income Housing Asset Fund	To cover negative cash position of Agency	Waterfront	1,106,582	N						\$ -
51	Low/Mod Housing Bonds COPS min rsv	Reserves	6/1/2003	9/1/2033	Wells Fargo Corporate Trust	2003 Housing COP: Replenish minimum reserve requirement per loan agreement. (Estimate).	Low/Mod	-	N				75,000		\$ 75,000
56	Redevelopment Revenue Bonds WF min rsv	Reserves	3/1/2004	9/1/2036	Wells Fargo Corporate Trust	2004 Revenue Bond - Arena: Replenish minimum reserve requirement per loan agreement. (Estimate)	Waterfront	-	N				75,000		\$ 75,000
59	Administration and Operating costs of the Successor Agency	Admin Costs	7/1/2014	6/30/2015	City of Stockton	Annual Budget for administration and operation of the SA (Estimated annual cost)	All	500,000	N				250,000		\$ 250,000
60	Property Maintenance	Property Maintenance	7/1/2014	6/30/2015	City of Stockton	Property maintenance and services (estimated annual cost)	All	122,400	N				61,200		\$ 61,200
61	US Department of Housing and Urban Development, Section 108 Loan - 1998 Note	Third-Party Loans	12/27/2000	8/1/2020	US Department of Housing and Urban Development	Section 108 Loan - 1998 Note	Waterfront	5,984,185	N						\$ -
62	Redevelopment Revenue Bonds WF rsv	Revenue Bonds Issued On or Before 12/31/10	3/1/2004	9/1/2036	Wells Fargo Corporate Trust	2004 Revenue Bond - Arena: Retention for debt service payment due in following period.	Waterfront	-	N						\$ -
63	Low/Mod Housing Bonds COPS legal	Legal	6/1/2003	9/1/2033	Wells Fargo Corporate Trust	2003 Housing COP. Legal settlement (Estimated cost, final amount to be determined)	Low/Mod		N						\$ -
64	Administration and Disposition of Successor Agency Properties	Property Dispositions	7/1/2015	6/30/2015	City of Stockton	Administrative and Professional Services costs for the disposition of Successor Agency properties (Estimated annual: maintenance, escrow, closing, staff costs, etc.)	All	50,000	N				25,000		\$ 25,000
65	Housing Project(s)	Revenue Bonds Issued On or Before 12/31/10	7/1/2006	9/1/2037	To be determined	Bond proceeds available for Housing Project(s).	Low/Mod		Y						\$ -
66	Non-housing Project(s)	Revenue Bonds Issued On or Before 12/31/10	7/1/2006	9/1/2037	To be determined	Bond proceeds available for Non-Housing Project(s)	Midtown		Y						\$ -
67	Non-housing Project(s)	Revenue Bonds Issued On or Before 12/31/10	7/1/2006	9/1/2037	To be determined	Bond proceeds available for Non-Housing Project(s)	North		Y						\$ -
68									N						\$ -
69									N						\$ -
70									N						\$ -
71									N						\$ -
72									N						\$ -
73									N						\$ -
74									N						\$ -

Stockton City Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Cash Balances
(Report Amounts in Whole Dollars)

insuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#)

B	C	D	E	F	G	H	I
Cash Balance Information by ROPS Period	Fund Sources						Comments
	Bond Proceeds		Reserve Balance		Other	RPTTF	
	Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	
ROPS 14-15B Actuals (01/01/15 - 06/30/15)							
Beginning Available Cash Balance (Actual 01/01/15)	8,657,269		879,564		-		
Revenue/Income (Actual 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015					28,980	7,374,691	
Expenditures for ROPS 14-15B Enforceable Obligations (Actual 06/30/15) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q			726,448		28,980	3,691,455	
Retention of Available Cash Balance (Actual 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	8,657,269					2,661,819	
ROPS 14-15B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15B PPA in the Report of PPA, Column S			No entry required			1,021,417	
Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ 153,116	\$ -	\$ -	\$ -	
ROPS 15-16A Estimate (07/01/15 - 12/31/15)							
Beginning Available Cash Balance (Actual 07/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 8,657,269	\$ -	\$ 153,116	\$ 2,661,819	\$ -	\$ 1,021,417	
Revenue/Income (Estimate 12/31/15) RPTTF amounts should tie to the ROPS 15-16A distribution from the County Auditor-Controller during June 2015						3,164,636	
Expenditures for ROPS 15-16A Enforceable Obligations (Estimate 12/31/15)	8,657,269		153,116	2,661,819		3,085,457	
Retention of Available Cash Balance (Estimate 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)							
Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,100,596	

Stockton City Recognized Obligation Payment Schedule (ROPS 15-16B) - Notes
January 1, 2016 through June 30, 2016

Item #

Notes/Comments

44-45

A Finding of completion was received on October 30, 2014.

The Successor Agency used the DOF calculator to determine the maximum payment allowed under HSC Section 34191.4, and as required, the payments will be applied to the Low Moderate Income Housing Fund loans before repaying any City loans to the former Redevelopment Agency.