

## RESOLUTION NO. SA-13-29

### **A RESOLUTION OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2014 THROUGH JUNE 30, 2014 AND APPROVING CERTAIN RELATED ACTIONS**

**WHEREAS**, the Imperial Beach Redevelopment Agency ("Redevelopment Agency") was a redevelopment agency in the City of Imperial Beach ("City"), 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

**WHEREAS**, Assembly Bill No. X1 26 (2011-2012 1<sup>st</sup> Ex. Sess.) ("AB 26") was signed by the Governor of California on June 28, 2011, making certain changes to the Redevelopment Law and to the California Health and Safety Code ("Health and Safety Code"), including adding Part 1.8 (commencing with Section 34161) ("Part 1.8") and Part 1.85 (commencing with Section 34170) ("Part 1.85") to Division 24 of the Health and Safety Code; and

**WHEREAS**, pursuant to AB 26, as modified by the California Supreme Court on December 29, 2011 by its decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Redevelopment Agency, were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of paying, performing and enforcing the enforceable obligations of the former redevelopment agencies and expeditiously winding down the business and fiscal affairs of the former redevelopment agencies; and

**WHEREAS**, the City Council of the City adopted Resolution No. 2012-7136 on January 5, 2012, pursuant to Part 1.85 of AB 26, electing for the City to serve as the successor agency to the Redevelopment Agency upon the dissolution of the Redevelopment Agency under AB 26 ("Successor Agency"); and

**WHEREAS**, on February 15, 2012, the Board of Directors of the Successor Agency, adopted Resolution No. SA-12-01 naming itself the "Imperial Beach Redevelopment Agency Successor Agency," the sole name by which it will exercise its powers and fulfill its duties pursuant to Part 1.85 of AB 26, and establishing itself as a separate legal entity with rules and regulations that will apply to the governance and operations of the Successor Agency; and

**WHEREAS**, Health and Safety Code Section 34179 of AB 26 establishes a seven (7) member local entity with respect to each successor agency with fiduciary responsibilities to holders of enforceable obligations and taxing entities that benefit from distributions of property taxes, and such entity is titled the "oversight board." The oversight board has been established for the Successor Agency (hereinafter referred to as the "Oversight Board") and all seven (7) members have been appointed to the Oversight Board pursuant to Health and Safety Code Section 34179. The duties and responsibilities of the Oversight Board are primarily set forth in Health and Safety Code Sections 34179 through 34181 of AB 26; and

**WHEREAS**, as part of the FY 2012-2013 State budget package, on June 27, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1484 ("AB 1484", Chapter 26, Statutes 2012), which amended certain provisions of AB 26. On September 29, 2012, the Legislature passed and the Governor signed Assembly Bill No. 1585 ("AB 1585"), which further amended certain provisions of AB 26 as amended by AB 1484 (AB 26, AB 1484, and AB 1585 are collectively referred to herein as the "Dissolution Act"); and

**WHEREAS**, on April 12, 2013, the Department of Finance issued a Finding of Completion to the Successor Agency pursuant to Health and Safety Code Section 34179.7 of the Dissolution Act; and

**WHEREAS**, pursuant to Health and Safety Code Section 34171(m) of the Dissolution Act, a "Recognized Obligation Payment Schedule" ("ROPS") means the document setting forth the minimum payment amounts and due dates of payments required by enforceable obligations for each six-month fiscal period as provided in Health and Safety Code Section 34177(m) of the Dissolution Act; and

**WHEREAS**, pursuant to Health and Safety Code Section 34177(l)(3) of the Dissolution Act, the ROPS shall be forward looking to the next six (6) months; and

**WHEREAS**, according to Health and Safety Code Section 34177(l)(1) of the Dissolution Act, the Successor Agency shall prepare a ROPS before each six-month fiscal period. For each recognized obligation, the ROPS shall 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, (v) the Redevelopment Property Tax Trust Fund ("RPTTF") 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 provisions of Part 1.85 of the Dissolution Act, and (vi) other revenue sources, including rents, concessions, asset sale proceeds, interest earnings, and any other revenues derived from the former Redevelopment Agency as approved by the Oversight Board in accordance with Part 1.85 of the Dissolution Act; and

**WHEREAS**, it is the intent of the Dissolution Act that the ROPS serve as the designated reporting mechanism for disclosing the Successor Agency's minimum bi-annual payment obligations by amount and source and that the San Diego County Auditor-Controller ("County Auditor-Controller") will be responsible for ensuring that the Successor Agency receives revenues sufficient to meet the requirements of the ROPS during each bi-annual period; and

**WHEREAS**, pursuant to Health and Safety Code Section 34177(m) of the Dissolution Act, the Successor Agency is required to submit the ROPS for the period of January 1, 2014 through June 30, 2014, after its approval and adoption by the Oversight Board, to the State Department of Finance ("Department of Finance") and the County Auditor-Controller no fewer than 90 days before the date of property tax distribution on January 2, 2014, which is no later than October 1, 2013; and

**WHEREAS**, the ROPS covering the period from January 1, 2014 through June 30, 2014 (the "ROPS 13-14B") is attached to this Resolution as Exhibit "A" and is presented to the Successor Agency at this meeting for review, approval, and adoption; and

**WHEREAS**, among other obligations listed on the ROPS 13-14B, the Successor Agency includes the repayment of a loan totaling \$3,738,100 (the "City Loan") made by the City to the Redevelopment Agency pursuant to that certain Cooperation Agreement dated June 7, 1995 (which date is immediately subsequent to the activation of the former Redevelopment Agency on May 3, 1995), and pursuant to City Council/Redevelopment Agency Resolution No. R-03-40 dated June 4, 2003, the Redevelopment Agency's year-end financial statements beginning June 30, 1996 through June 30, 2004, and the Agreement among the Redevelopment Agency and City dated May 17, 2006. The City Loan was made by the City to the Redevelopment Agency for the Redevelopment Agency's use in connection with the preparation and implementation of the Redevelopment Plan for the Palm Avenue/Commercial Redevelopment Project adopted on or about September 7, 1995 and the Redevelopment Plan for the Palm Avenue/Commercial

Redevelopment Project Amendment No. 1 adopted on July 19, 2001 (collectively, the "Redevelopment Plans"), and the implementation, among other projects, capital improvements program projects; and

**WHEREAS**, pursuant to Health and Safety Code Section 34178(b)(2) of the Dissolution Act, the City Loan was not invalidated by the Dissolution Act because it constitutes a written agreement between the Redevelopment Agency and the City providing loans/start up funds for the Redevelopment Agency that were entered into within two years of formation of the Redevelopment Agency and also within two years of the adoption of the Redevelopment Plans. Pursuant to Health and Safety Code Sections 34171(d)(1)(B) and (E), 34171(d)(2), and 34178(b)(2) of the Dissolution Act, the City Loan shall constitute an enforceable obligation of the Successor Agency under the Dissolution Act repayable from the RPTTF and not subject to the loan repayment restrictions of Health and Safety Code Section 34191.4(b) of the Dissolution Act; and

**WHEREAS**, if approved and adopted by the Successor Agency, the ROPS 13-14B shall thereafter be submitted to the Oversight Board for review, approval, and adoption. In this regard, Health and Safety Code Section 34177(l)(2)(B) of the Dissolution Act requires the Successor Agency to submit a copy of the ROPS 13-14B to the San Diego County Administrative Officer, the County Auditor-Controller, and the Department of Finance at the same time that the Successor Agency submits the ROPS 13-14B to the Oversight Board for approval; and

**WHEREAS**, pursuant to Health and Safety Code Section 34177(l)(2)(C) of the Dissolution Act, a copy of the Oversight Board-approved ROPS 13-14B shall be submitted to the County Auditor-Controller and both the State Controller's Office and the Department of Finance and shall be posted on the Successor Agency's internet website; and

**WHEREAS**, pursuant to Health and Safety Code Section 34177(m)(1) of the Dissolution Act, the Successor Agency shall submit a copy of the Oversight Board-approved ROPS 13-14B to the Department of Finance electronically and the Successor Agency shall have completed the ROPS 13-14B in the manner provided by the Department of Finance; and

**WHEREAS**, pursuant to Health and Safety Code Section 34183(a)(2) of the Dissolution Act, the County Auditor-Controller is required to make a payment of property tax revenues (i.e. former tax increment funds) from the RPTTF to the Successor Agency on January 2, 2014 for payments to be made toward recognized obligations listed on the ROPS 13-14B and approved by the Department of Finance; and

**WHEREAS**, the proposed ROPS 13-14B attached to this Resolution as Exhibit "A" is consistent with the requirements of the Health and Safety Code and other applicable law; and

**WHEREAS**, the proposed ROPS 13-14B contains the schedules for payments on enforceable obligations required for the applicable six-month period and sources of funds for repayment as required pursuant to Health and Safety Code Section 34177(l) of the Dissolution Act; and

**WHEREAS**, pursuant to Health and Safety Code Section 34177(m) of the Dissolution Act, the ROPS 13-14B as approved and adopted by the Oversight Board shall be submitted to the Department of Finance and the County Auditor-Controller by October 1, 2013. Section 34177(m) further provides that the Department of Finance shall make its determination of the enforceable obligations and the amounts and funding sources of enforceable obligations no later than forty-five (45) days after the ROPS is submitted and that the Successor Agency may,

within five (5) business days of the Department of Finance's determination, request an additional review by the Department of Finance and an opportunity to meet and confer on disputed items. In the event of a meet and confer and request for additional review, the meet and confer period may vary but the Department of Finance shall notify the Successor Agency and the County Auditor-Controller as to the outcome of its review at least fifteen (15) days before the date of property tax distribution on January 2, 2014; and

**WHEREAS**, the activity proposed for approval by 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

**WHEREAS**, the activity proposed for approval by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity proposed by 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

**WHEREAS**, all of the prerequisites with respect to the approval of this Resolution have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the Imperial Beach Redevelopment Agency Successor Agency, as follows:

**Section 1.** The Successor Agency hereby determines that the foregoing recitals are true and correct and are a substantive part of this Resolution.

**Section 2.** (a) The Successor Agency hereby finds that the City Loan described in the Recitals above and included on the ROPS 13-14B was made to the Redevelopment Agency for legitimate redevelopment purposes.

(b) The Successor Agency hereby determines that, pursuant to Health and Safety Code Sections 34171(d)(2) and 34178(b)(2) of the Dissolution Act, the City Loan described in the Recitals above and included on the ROPS 13-14B was not invalidated by the Dissolution Act because it constitutes a written agreement between the Redevelopment Agency and the City providing loans/start up funds for the Redevelopment Agency that were entered into within two years of formation of the Redevelopment Agency and also within two years of the adoption of the Redevelopment Plans.

(c) The Successor Agency hereby determines that, pursuant to Health and Safety Code Sections 34171(d)(1)(B) and (E), 34171(d)(2), and 34178(b)(2) of the Dissolution Act, the City Loan described in the Recitals above and included on the ROPS 13-14B shall constitute an enforceable obligation of the Successor Agency under the Dissolution Act repayable from the RPTTF and not subject to the loan repayment restrictions of Health and Safety Code Section 34191.4(b) of the Dissolution Act.

**Section 3.** The Successor Agency hereby approves and adopts the ROPS 13-14B for the period from January 1, 2014 through June 30, 2014, in substantially the form attached to this Resolution as Exhibit "A".

- Section 4.** The Executive Director, or designee, of the Successor Agency is hereby authorized and directed to: (i) provide the ROPS 13-14B to the Oversight Board for review, approval, and adoption and concurrently submit a copy of the ROPS 13-14B to the County Administrative Officer, the County Auditor-Controller, and the Department of Finance; (ii) submit the ROPS 13-14B, as approved and adopted by the Oversight Board, to the Department of Finance electronically and the County Auditor-Controller no later than October 1, 2013; (iii) submit a copy of the ROPS 13-14B, as approved and adopted by the Oversight Board, to the State Controller's Office and post the ROPS 13-14B on the Successor Agency's internet website; (iv) revise the ROPS 13-14B, and make such changes and amendments as necessary, before official submittal of the ROPS 13-14B to the Department of Finance, in order to complete the ROPS 13-14B in the manner provided by the Department of Finance and to conform the ROPS 13-14B to the form or format as may be prescribed by the Department of Finance; (v) make other non-substantive changes and amendments to the ROPS 13-14B as may be approved by the Executive Director of the Successor Agency and its legal counsel; and (vi) take such other actions and execute such other documents as are necessary or desirable to effectuate the intent of this Resolution on behalf of the Successor Agency.
- Section 5.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Successor Agency declares that its board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.
- Section 6.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the Successor Agency of any constitutional, legal or equitable rights that the Successor Agency may have to challenge, through any administrative or judicial proceedings, the effectiveness and/or legality of all or any portion of the Dissolution Act, any determinations rendered or actions or omissions to act by any public agency or government entity or division in the implementation of the Dissolution Act, and any and all related legal and factual issues, and the Successor Agency expressly reserves any and all rights, privileges, and defenses available under law and equity.
- Section 7.** The Successor Agency determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because the activity approved by 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.
- Section 8.** This Resolution shall take effect upon the date of its adoption.



**EXHIBIT "A"**

**IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY  
RECOGNIZED OBLIGATION PAYMENT SCHEDULE  
January 1, 2014 through June 30, 2014  
("ROPS 13-14B")**

**Approved and Adopted by the Successor Agency on September 18, 2013**

**Recognized Obligation Payment Schedule (ROPS 13-14B) - Summary**  
 Filed for the January 1, 2014 through June 30, 2014 Period

**Name of Successor Agency:** Imperial Beach  
**Name of County:** San Diego

<b>Current Period Requested Funding for Outstanding Debt or Obligation</b>		<b>Six-Month Total</b>
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding</b>		
<b>A</b>	<b>Sources (B+C+D):</b>	<b>\$ 1,907,790</b>
B	Bond Proceeds Funding (ROPS Detail)	-
C	Reserve Balance Funding (ROPS Detail)	1,907,790
D	Other Funding (ROPS Detail)	-
<b>E</b>	<b>Enforceable Obligations Funded with RPTTF Funding (F+G):</b>	<b>\$ 4,006,750</b>
F	Non-Administrative Costs (ROPS Detail)	4,006,750
G	Administrative Costs (ROPS Detail)	-
<b>H</b>	<b>Current Period Enforceable Obligations (A+E):</b>	<b>\$ 5,914,540</b>

<b>Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
I	Enforceable Obligations funded with RPTTF (E):	4,006,750
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column U)	-
<b>K</b>	<b>Adjusted Current Period RPTTF Requested Funding (I-J)</b>	<b>\$ 4,006,750</b>

<b>County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
L	Enforceable Obligations funded with RPTTF (E):	4,006,750
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AB)	-
<b>N</b>	<b>Adjusted Current Period RPTTF Requested Funding (L-M)</b>	<b>4,006,750</b>

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

_____	
Name	Title
/s/ _____	
Signature	Date

**Recognized Obligation Payment Schedule (ROPS) 13-14B - Report of Fund Balances**

(Report Amounts in Whole Dollars)

Pursuant 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 or when payment from property tax revenues is required by an enforceable obligation.

A	B	C	D	E	F	G	H	I	J	K
Fund Balance Information by ROPS Period	Fund Sources									Comments
	Bond Proceeds		Reserve Balance		Other	RPTTF		Total		
	Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Review balances retained for approved enforceable obligations	RPTTF balances retained for bond reserves	Rent, Grants, Interest, Etc.	Non-Admin	Admin			

**ROPS III Actuals (01/01/13 - 6/30/13)**

1	<b>Beginning Available Fund Balance (Actual 01/01/13)</b> Note that for the RPTTF, 1 + 2 should tie to columns L and Q in the Report of Prior Period Adjustments (PPAs)	379,908					(100,176)		\$ 279,732	
2	<b>Revenue/Income (Actual 06/30/13)</b> Note that the RPTTF amounts should tie to the ROPS III distributions from the County Auditor-Controller	533,092					2,577,217		\$ 3,110,309	
3	<b>Expenditures for ROPS III Enforceable Obligations (Actual 06/30/13)</b> Note that for the RPTTF, 3 + 4 should tie to columns N and S in the Report of PPAs	913,000					2,577,217		\$ 3,490,217	
4	<b>Retention of Available Fund Balance (Actual 06/30/13)</b> Note that the Non-Admin RPTTF amount should only include the retention of reserves for debt service approved in ROPS III	-					267,146		\$ 267,146	
5	<b>ROPS III RPTTF Prior Period Adjustment</b> Note that the net Non-Admin and Admin RPTTF amounts should tie to columns O and T in Report of PPAs.	No entry required								
	<b>Ending Actual Available Fund Balance (1 + 2 - 3 - 4 - 5)</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (367,322)	\$ -	\$ (367,322)	

**ROPS 13-14A Estimate (07/01/13 - 12/31/13)**

7	<b>Beginning Available Fund Balance (Actual 07/01/13)</b> (C, D, E, G, and I = 4 + 6, F = H4 + F6, and H = 5 + 6)	\$ -	\$ -	\$ -	\$ 267,146	\$ -	\$ (367,322)	\$ -	\$ (100,176)	
8	<b>Revenue/Income (Estimate 12/31/13)</b> Note that the RPTTF amounts should tie to the ROPS 13-14A distributions from the County Auditor-Controller						3,015,673	250,000	\$ 3,265,673	
9	<b>Expenditures for 13-14A Enforceable Obligations (Estimate 12/31/13)</b>				267,146		2,748,527	125,000	\$ 3,140,673	
10	<b>Retention of Available Fund Balance (Estimate 12/31/13)</b> Note that the RPTTF amounts may include the retention of reserves for debt service approved in ROPS 13-14A				1,782,790			125,000	\$ 1,907,790	
11	<b>Ending Estimated Available Fund Balance (7 + 8 - 9 - 10)</b>	\$ -	\$ -	\$ -	\$ (1,782,790)	\$ -	\$ (100,176)	\$ -	\$ (1,882,966)	



**Recognized Obligation Payment Schedule (ROPS ) 13-14B - ROPS Detail**  
**January 1, 2014 through June 30, 2014**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K				L	M	N	O	P
										Funding Source								
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)		RPTTF						
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	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total			
18.00	Litigation	Litigation	4/25/2012	2/1/2015	Successor Agency, City of Imperial Beach, McDougal Love, and Kane Ballmer	Lawsuit filed by Affordable Housing Coalition of San Diego County re obligations of Former RDA. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	100,000	N				60,000		\$ 60,000			
19.00	Oversight Board Costs Required by State Law	Admin Costs	1/1/2014	6/30/2014	Successor Agency & City of Imperial Beach	Costs incurred by Successor Agency as requested and required by the Oversight Board per State law. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	20,000	N				20,000		\$ 20,000			
20.00	ROPS I Cash-flow Deficit	Prior Period RPTTF Shortfall	1/1/2014	6/1/2014	IB Successor Agency, City of Imperial Beach, Southbay Drugs, Oppper Varco, Keyser Marston, Urban Systems, NBS, Kane Ballmer	ROPS I Approved Yet Unfunded Enforceable Obligation	Palm Ave Commercial Corridor PA1, PA2	-	Y						\$ -			
21.00	ROPS 3 Administrative Cost Allowance Approved Yet Unfunded	Prior Period RPTTF Shortfall	1/1/2013	1/1/2014	City of Imperial Beach, IB Successor Agency	Unfunded DOF Approved Administration Costs Allowance from ROPS 3	Palm Ave Commercial Corridor PA1, PA2	-	Y						\$ -			
22.00	9th & Palm Avenue Real Estate Management	Property Maintenance	1/1/2014	6/30/2014	Successor Agency & City of Imperial Beach	Costs of maintaining Successor Agency owned asset prior to disposition per LRPMP. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	100,000	N				50,000		\$ 50,000			
23.00	Tax Allocation Bonds Required Annual Continuing Disclosure	Professional Services	11/17/2010	1/1/2015	NBS	Costs relating to required annual continuing disclosure obligations of the Successor Agency on the 2003 Series A TABs (or the 2013 TABs if 2003 Series A TABs are refunded) and 2010 TABs. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	7,900	N				3,950		\$ 3,950			
24.00	Tax Allocation Bonds Property Tax Data Collection/Monitoring	Professional Services	1/14/2004	1/1/2015	HdL	Data used by NBS for preparation of the required annual continuing disclosure obligations of the Successor Agency on the 2003 Series A TABs (or the 2013 TABs if 2003 Series A TABs are refunded) and 2010 TABs. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	4,050	N				2,025		\$ 2,025			
25.00	Successor Agency Annual Financial Audit and Financial Statements Required by State Law	Professional Services	6/15/2010	6/30/2014	Lance, Soll Lundgard, CPA Firm	Costs relating to the Successor Agency's preparation of Annual Audit and Financial Statements required by State law. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	5,832	N				5,832		\$ 5,832			
26.00	2003 Series A Tax Allocation Bonds Refunding Financial Advisor/Non-Contingent Portion	Professional Services	12/1/2013	2/1/2014	First Southwest	2003 Series A TABs Refunding Financial Advisor - non-contingent portion of costs. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	19,000	N				19,000		\$ 19,000			
27.00	2003 Series A Tax Allocation Bonds Fiscal Consultant/Non-Contingent Portion	Professional Services	7/17/2013	2/1/2014	Fraser & Associates	2003 Series A TABs Refunding Fiscal Consultant - non-contingent portion of costs. See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	25,500	N				25,500		\$ 25,500			
28.00	2003 Series A Tax Allocation Bonds Refunding Successor Agency Non-Contingent Fees & Costs	Professional Services	12/1/2013	2/1/2014	Successor Agency, City of Imperial Beach, McDougal, Love and Kane, Ballmer	2003 Series A TABs Refunding - Successor Agency non-contingent fees and costs (including legal fees and reimbursement costs). See Notes Page.	Palm Ave Commercial Corridor PA1, PA2	50,000	N				50,000		\$ 50,000			







## Recognized Obligation Payment Schedule 13-14B - Notes

January 1, 2014 through June 30, 2014

Item #	Notes/Comments
1.00	<p>Per DOF's instructions, \$1,028,787 is indicated under the Reserve column as those were RPTTF funds received by the Successor Agency on June 1, 2013 as bond reserves approved as #3 on ROPS 13-14A to be used toward the bond debt service payment in June 2014 during the ROPS 13-14B period. Also, in connection with the 2003 Tax Allocation Bonds, Series A, pursuant to Resolutions OB-13-18 and OB-13-23, and in accordance with its authority set forth in Health and Safety Code Section 34177.5, the Successor Agency has commenced the bond refunding process to refund the 2003 Tax Allocation Bonds, Series A and to issue the proposed Tax Allocation Refunding Bonds, Series 2013. Therefore, the bond debt service payments identified in this Item 1 will be replaced with the required bond debt service payments on the Tax Allocation Refunding Bonds, Series 2013 if they are issued by the Successor Agency.</p>
2.00	<p>Per DOF's instructions, \$754,003 is indicated under the Reserve column as those were RPTTF funds received by the Successor Agency on June 1, 2013 as bond reserves approved as #4 on ROPS 13-14A to be used toward the bond debt service payment in June 2014 during the ROPS 13-14B period.</p> <p>The Successor Agency received a total amount of \$250,000 on June 1, 2013 as payment for the Administrative Cost Allowance for the entire Fiscal Year 2013-2014. Therefore, \$125,000 was used during the ROPS 13-14A period and the remaining balance of \$125,000 will be used during the ROPS 13-14B period. As such, the SA is including this \$125,000 remaining balance under the Reserve column. Further, the amount of the Administrative Cost Allowance is not intended to limit the use and amount of other funds available to the Successor Agency, if any is available, to be used to pay for additional administrative costs included in the Administrative Budget for the period January 1, 2014 through June 30, 2014.</p>
11.00	<p>These costs are associated with a DDA entered into by the Former RDA on December 16, 2010 and the Ground Lease, as required by the DDA, on March 15, 2011. Pursuant to Health and Safety Code Section 34171(d)(1)(E), this item constitutes an enforceable obligation. This item is specifically excluded from the definition of and payment by the administrative cost allowance and does not constitute an administrative cost as a project-related cost pursuant to Health and Safety Code Section 34171(b). Payment of this obligation is required by the underlying Former RDA DDA and therefore constitutes an enforceable obligation of the Successor Agency pursuant to Health and Safety Code Section 34171(d)(1)(E) and shall be payable from RPTTF monies.</p>
14.00	<p>Litigation costs due to the filing of a lawsuit by the Affordable Housing Coalition of San Diego County alleging that unmet obligations of the Former RDA pursuant to the California Community Redevelopment Law constitute an enforceable obligation of the Successor Agency payable from RPTTF. Costs relating to potential and pending litigation in connection with assets or obligations constitute an enforceable obligation of the Successor Agency and shall be payable from RPTTF monies, not as an administrative cost, pursuant to Health &amp; Safety Code Section 34171(b).</p>
18.00	<p>Costs incurred by the Successor Agency in connection with performing statutorily required services for the Oversight Board are not administrative costs and are not paid using the Administrative Cost Allowance because they are costs incurred by the Successor Agency due to the Successor Agency being required to perform services for the Oversight Board pursuant to State law set forth at Health and Safety Code Section 34179(c). As such, payment of this obligation is required by State law at Health and Safety Code Section 34179(c) and therefore constitutes an enforceable obligation of the Successor Agency pursuant to Health and Safety Code Section 34171(d)(1)(C) and shall be payable from RPTTF monies, not as an administrative cost.</p>
19.00	<p>These costs are associated with maintaining and managing this real estate asset owned by the Successor Agency. Further, these costs are specifically excluded from the definition of and payment by the administrative cost allowance and does not constitute an administrative cost as a cost for maintaining assets pursuant to Health and Safety Code Section 34171(b). Payment of these obligations constitute an enforceable obligation of the Successor Agency and shall be payable from RPTTF monies.</p>
22.00	<p>Costs relating to annual continuing disclosure obligations of the Successor Agency on the 2003 Series A TABs (or the 2013 TABs if 2003 Series A TABs are refunded) and 2010 TABs are required by the Indentures governing the issuance of the TABs and constitute enforceable obligations of the Successor Agency pursuant to Health and Safety Code Sections 34171(d)(1)(A) and 34171(d)(1)(E), and shall be payable from RPTTF monies, not as an administrative cost.</p>
23.00	<p>Costs relating to annual continuing disclosure obligations of the Successor Agency on the 2003 Series A TABs (or the 2013 TABs if 2003 Series A TABs are refunded) and 2010 TABs are required by the Indentures governing the issuance of the TABs and constitute enforceable obligations of the Successor Agency pursuant to Health and Safety Code Sections 34171(d)(1)(A) and 34171(d)(1)(E), and shall be payable from RPTTF monies, not as an administrative cost.</p>

## Recognized Obligation Payment Schedule 13-14B - Notes

January 1, 2014 through June 30, 2014

Item #	Notes/Comments
24.00	<p>Costs relating to data collection and monitoring for the annual continuing disclosure obligations of the Successor Agency on the 2003 Series A TABs (or the 2013 TABS if 2003 Series A TABs are refunded) and 2010 TABs are required by the Indentures governing the issuance of the TABs and constitute enforceable obligations of the Successor Agency pursuant to Health and Safety Code Sections 34171(d)(1)(A) and 34171(d)(1)(E), and shall be payable from RPTTF monies, not as an administrative cost.</p> <p>Pursuant to State law at Health and Safety Code Section 34177(n), the Successor Agency is required to cause a post audit of the financial transactions and records of the successor agency to be made at least annually by a certified public accountant. As such, payment of this obligation is required by State law at Health and Safety Code Section 34177(n) and therefore constitutes an enforceable obligation of the Successor Agency pursuant to Health and Safety Code Section 34171(d)(1)(C) and shall be payable from RPTTF monies, not as an administrative cost.</p>
25.00	<p>Pursuant to State law at Health and Safety Code Section 34177.5(h), the Successor Agency shall make use of an independent financial advisor in developing financing proposals for bond refunding or refinancing. The Successor Agency has begun the refunding of the 2003 Series A TABs and, therefore, the Successor Agency is required to retain the services of a Financial Advisor for the bond refunding process. As such, payment of this obligation is required by State law at Health and Safety Code Section 34177.5(h) and therefore constitutes an enforceable obligation pursuant to Health and Safety Code Section 34171(d)(1)(C) and shall be payable from RPTTF monies, not as an administrative cost. In addition, pursuant to Resolution OB-13-18, and in accordance with its authority set forth in Health and Safety Code Section 34177.5(f), the Oversight Board directed the Successor Agency to commence the bond refunding process and authorized the Successor Agency to recover all costs associated with such bond refunding process. The DOF approved Resolution OB-13-18. Therefore, payment of this obligation constitutes an enforceable obligation pursuant to Health and Safety Code Sections 34177.5 and 34171(d)(1) and shall be payable from RPTTF monies, not as an administrative cost. Further, pursuant to Resolution OB-13-19, and in accordance with its authority set forth in Health and Safety Code Section 34177.5, the Oversight Board approved the Professional Services Agreement with First Southwest for financial advisory services. The DOF approved Resolution OB-13-19. Therefore, payment of this obligation constitutes an enforceable obligation of the Successor Agency pursuant to Health and Safety Code Sections 34177.5 and 34171(d)(1) and shall be payable from RPTTF monies, not as an administrative cost.</p>
26.00	<p>Pursuant to Resolution OB-13-18, and in accordance with its authority set forth in Health and Safety Code Section 34177.5(f), the Oversight Board directed the Successor Agency to commence the bond refunding process and authorized the Successor Agency to recover all costs associated with such bond refunding process. The DOF approved Resolution OB-13-18. Therefore, payment of this obligation constitutes an enforceable obligation pursuant to Health and Safety Code Sections 34177.5 and 34171(d)(1) and shall be payable from RPTTF monies, not as an administrative cost. Further, pursuant to Resolution OB-13-22, and in accordance with its authority set forth in Health and Safety Code Section 34177.5, the Oversight Board approved the Professional Services Agreement with Fraser &amp; Associates for fiscal consultant services. The DOF approved Resolution OB-13-22. Therefore, payment of this obligation constitutes an enforceable obligation of the Successor Agency pursuant to Health and Safety Code Sections 34177.5 and 34171(d)(1) and shall be payable from RPTTF monies, not as an administrative cost.</p>
27.00	<p>Pursuant to Resolution OB-13-18, and in accordance with its authority set forth in Health and Safety Code Section 34177.5(f), the Oversight Board directed the Successor Agency to commence the bond refunding process and authorized the Successor Agency to recover all costs associated with such bond refunding process. The DOF approved Resolution OB-13-18. Therefore, payment of this obligation constitutes an enforceable obligation of the Successor Agency pursuant to Health and Safety Code Sections 34177.5 and 34171(d)(1) and shall be payable from RPTTF monies, not as an administrative cost.</p>
28.00	<p>Pursuant to Resolution OB-13-18, and in accordance with its authority set forth in Health and Safety Code Section 34177.5(f), the Oversight Board directed the Successor Agency to commence the bond refunding process and authorized the Successor Agency to recover all costs associated with such bond refunding process. The DOF approved Resolution OB-13-18. Therefore, payment of this obligation constitutes an enforceable obligation of the Successor Agency pursuant to Health and Safety Code Sections 34177.5 and 34171(d)(1) and shall be payable from RPTTF monies, not as an administrative cost.</p>

## Recognized Obligation Payment Schedule 13-14B - Notes

January 1, 2014 through June 30, 2014

Item #	Notes/Comments
29.00	<p>On May 3, 1995, the Former RDA was created. On June 7, 1995, and within 45 days of creation of the Former RDA, the City of Imperial Beach and the Former RDA entered into a Cooperation Agreement for the City's loan/advance of funds to the Former RDA for startup monies to jump start redevelopment, which loan/advances would be repaid by the Former RDA from tax increment funds. City loan/advances were provided to the Former RDA upon the adoption of the Redevelopment Plan for the original Project Area and upon the adoption of the Redevelopment Plan for Amendment No. 1 Area. Repayment of the City loan is due and payable now as the City has called repayment of the principal of the loan. Pursuant to Health and Safety Code Sections 34171(d)(1)(B) and (E), 34171(d)(2), and 34178(b)(2), this City loan to the Former RDA constitutes an enforceable obligation of the Successor Agency and shall be payable from RPTTF monies. Further, because of the timing of the City loan to the Former RDA, this City loan constitutes an enforceable obligation of the Former RDA and Successor Agency under the Dissolution Act and was not invalidated by Sections 34178(b)(2) and 34171(d)(2). Further, the repayment of the City loan is not subject to the repayment restrictions of Chapter 9 (beginning with Health and Safety Code Section 34191.4(b)) of the Dissolution Act.</p>
30.00	<p>These costs are legal expenses related to litigation that was filed in connection with the June 1, 2012 RPTTF distribution. Litigation was filed to protect enforceable obligations and prevent default as a result of County notice not to distribute June 1, 2012 RPTTF without DOF approval letter. Costs relating to potential and pending litigation in connection with assets or obligations constitute an enforceable obligation of the Successor Agency and shall be payable from RPTTF monies, not as an administrative cost, pursuant to Health and Safety Code Section 34171(b).</p>
1, 14, 18, 19	<p>The actual amounts provided herein are solely estimates and the actual amount paid due to final costs owed by the Successor Agency may end up being greater than shown above. Therefore, the approval of this ROPS by the Successor Agency, the Oversight Board and the DOF includes the approval of such increased amount actually paid.</p>
1, 14, 18, 19	<p>To the extent RPTTF is not available to pay an enforceable obligation listed on this ROPS, the approval of this ROPS by the Successor Agency, the Oversight Board, and the DOF includes authorizing the Successor Agency to make payments on an enforceable obligation from any other funds the Successor Agency may have available, if any, at the time a payment is to be made.</p>