

**SAND CITY REDEVELOPMENT AGENCY
RESOLUTION NO. RA 12-01, 2012**

**A RESOLUTION OF THE SAND CITY REDEVELOPMENT AGENCY
AMENDING THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE OF
THE SAND CITY REDEVELOPMENT AGENCY**

WHEREAS, as part of the 2011-2012 State budget bill, the California Legislature enacted companion bills AB 1X 26 and AB 1X 27;

WHEREAS, AB 1X 26 dissolved all Redevelopment Agencies in California effective on June 28, 2011 unless the City which created the Redevelopment Agency elected under AB 1X 27 to continue operations of its Redevelopment Agency under the Community Redevelopment Law, including but not limited to the provisions of its Redevelopment Plan;

WHEREAS, on July 19, 2011 the City Council of the City of Sand City ("**City**") adopted an Ordinance (the "**Continuation Ordinance**") electing to continue the existence of the Sand City Redevelopment Agency ("**Agency**") under the provisions of AB 1X 27;

WHEREAS, California Health and Safety Code section 34169 was enacted on June 28, 2011 as part of AB 1X 26;

WHEREAS, the effectiveness of H&SC section 34169 was not stayed by the amended order issued by the California Supreme Court on August 17, 2011;

WHEREAS, H&SC section 34169(g)(1) required the Agency to adopt an Enforceable Obligation Payment Schedule ("**EOPS**") on or before August 27, 2011;

WHEREAS, on May 18, 1989, the City and the Agency undertook the obligation to share certain sales tax revenues with the City of Seaside during the life of the Sand City Redevelopment Plan (the "**1989 Tax Sharing Agreement**");

WHEREAS, following adoption of the Continuation Ordinance which extended the life of the Sand City Redevelopment Plan, the Agency adopted an EOPS by Resolution No. RA 11-11 (2011) on August 25, 2011;

WHEREAS, the EOPS adopted by the Agency on August 25, 2011 included the obligation to make certain payments to the City of Seaside under the 1989 Tax Sharing Agreement until termination of the Sand City Redevelopment Plan;

WHEREAS, on December 29, 2011, the judgment of the California Supreme Court in the case styled *California Redevelopment Association v. Ana Matasantos, et al.* (No. S194861) became final;

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WHEREAS, *Matasantos* upheld the provisions of AB X1 26;

WHEREAS, *Matasantos* held invalid the provisions of AB X1 27;

WHEREAS, under *Matasantos* the Sand City Redevelopment Agency is dissolved effective February 1, 2012;

WHEREAS, the Sand City Redevelopment Agency is no longer authorized to carry out the Sand City Redevelopment Plan;

WHEREAS, no agency can now be created to carry out the Sand City Redevelopment Plan;

WHEREAS, the effect of *Matasantos* was to terminate the Sand City Redevelopment Plan;

WHEREAS, the obligation to make certain payments to the City of Seaside under the 1989 Tax Sharing Agreement ended on termination of the Sand City Redevelopment Plan;

WHEREAS, H&SC section 34169(g)(1) provides that only enforceable obligations may be listed on an EOPS;

WHEREAS, as a result of the *Matasantos* decision, payments to the City of Seaside under the 1989 Tax Sharing Agreement are no longer an enforceable obligation;

WHEREAS, H&SC section 34169(g)(2) provides that the EOPS adopted by the Agency may be amended at any public meeting of the Agency;

NOW, THEREFORE, THE SAND CITY REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

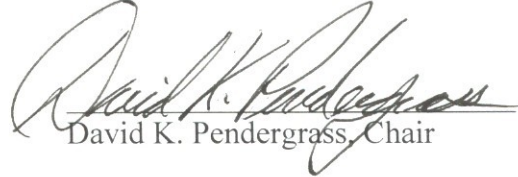
1. Amendment of EOPS. The Agency hereby amends and restates the EOPS in its entirety as set forth on Exhibit "A" attached hereto and by this reference incorporated herein.
2. Posting and Notice to Agencies. The Executive Director is hereby authorized and directed to post a copy of the amended EOPS attached hereto as Exhibit "A" on the City's website and to give notice to the Monterey County Auditor-Controller, the State Controller and the State Department of Finance of the location of the City's website where said amended EOPS is posted.

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PASSED AND ADOPTED at a regular meeting of the Sand City Redevelopment Agency on the 17th day of January, 2012, by the following vote:

AYES: Agency Members Blackwelder, Carbone, Hubler, Kruper, Pendergrass
NOES: None
ABSTAIN: None
ABSENT: None

APPROVED:


David K. Pendergrass, Chair

ATTEST:


Linda Scholink, Secretary

OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month						Total	
					Jan	Feb	March	April	May	June		
1) Pass Through Payments	County of Monterey	Pass through payments to various agencies per agreements	Unknown	322,985.28							161,500.00	\$ 161,500.00
2)	County Library	Pass through payment	Unknown	26,467.84							13,230.00	\$ 13,230.00
3)	MPUSD	Pass through payment	Unknown	5,635.29							2,818.00	\$ 2,818.00
4)	MPC	Pass through payment	Unknown	620.43							310.00	\$ 310.00
5)	MCOE	Pass through payment	Unknown	343.07							172.00	\$ 172.00
6)	MCWRA	Pass through payment	Unknown	1,620.29							810.00	\$ 810.00
7)	MCWRA Zone 11	Pass through payment	Unknown	540.07							270.00	\$ 270.00
8)	No. Salinas Mosquito Ab	Pass through payment	Unknown	14,629.69							7,315.00	\$ 7,315.00
9)	Seaside Sanitation	Pass through payment	Unknown	34,241.39							17,121.00	\$ 17,121.00
10)	Mont. Pen Water Mgmt.	Pass through payment	Unknown	110.38							55.00	\$ 55.00
11)	Mont. Pen. Regional Park	Pass through payment	Unknown	149.19							75.00	\$ 75.00
12)												\$ -
13) 20% Housing Set Aside	Housing Set Aside Acct	Low/Moderate Income Housing Set Aside Requirement	12,515,367.00	368,528.00							184,264.00	\$ 184,264.00
14)												\$ -
15)												\$ -
16)												\$ -
17)												\$ -
18)												\$ -
19)												\$ -
20)												\$ -
21)												\$ -
22)												\$ -
23)												\$ -
24)												\$ -
25)												\$ -
26)												\$ -
27)												\$ -
28)												\$ -
Totals - Other Obligations					\$ 775,870.92	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 387,940.00	\$ 387,940.00