



REGULAR MEETING AGENDA

SUCCESSOR AGENCY OVERSIGHT BOARD
CITY OF CLAYTON, CA

THURSDAY, January 12, 2017

4:00 p.m.

*Third Floor Conference Room, Clayton City Hall
6000 Heritage Trail, Clayton, CA 94517*

OVERSIGHT BOARD MEMBERS

Tujia Catalano, Councilmember
John Hild, Contra Costa Office of Education
Karen Mitchoff, Contra Costa County Supervisor
Dan Richardson, Clayton resident

Mindy Gentry, former RDA Staff
Vito Impastato, CCC Fire Protection District
Jonah Nicholas, Contra Costa Community
College District

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail on Monday prior to the Board meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the Oversight Board after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

REGULAR MEETING AGENDA
OVERSIGHT BOARD
SUCCESSOR AGENCY, CITY OF CLAYTON

Thursday, January 12, 2017

1. **CALL TO ORDER AND ROLL CALL** – Board Chairman Dan Richardson

2. **CONSENT CALENDAR**

Consent Calendar items are typically routine in nature and are considered for approval by the Board with one single motion. Members of the Board, Audience or Staff wishing an item removed from the Consent Calendar for the purpose of public comment, question, input or action different than recommended may request so through the Board Chairman.

(a) Information Only – No action to be taken

1. Letter dated August 22, 2016 re: new Committee member appointment
2. Updated Oversight Board to the Clayton Successor Agency Roster
3. State Dept. of Finance approval of “The Grove” park property title transfer from the Successor Agency to the City of Clayton.

3. **OVERSIGHT BOARD ACTION ITEMS**

- (a) Consideration of Resolution No. 01-2017 Approving and Adopting the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018) for the Period covering of July 1, 2017 through June 30, 2018, pursuant to California Health and Safety Code Section 31471(h) AND 34177(l)(1) - “ Redevelopment Law” –
(Kevin Mizuno, Clayton Finance Manager)

4. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Members of the public may address the Oversight Board on items within the Board’s jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Meeting table and submit it in advance to the Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chairperson’s discretion. When one’s name is called or you are recognized by the Chairperson as wishing to speak, the speaker shall approach the Board and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Board may respond to statements made or questions asked, or may at its discretion request Successor Agency Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the Oversight Board.

6. **ADJOURNMENT** – the meeting is adjourned on call by the Chairperson.
The Oversight Board’s next meeting will be scheduled as needed.



COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 363-7433

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
JIM DIAZ, *MAYOR*
KEITH HAYDON, *VICE MAYOR*
TUIJA CATALANO, *COUNCILMEMBER*
JULIE K. PIERCE, *COUNCILMEMBER*
DAVID T. SHUEY, *COUNCILMEMBER*

January 5, 2017

To: Laura Hoffmeister, Clerk to the Oversight Board

This is to advise that on December 20, 2016, Mayor Jim Diaz appointed Tuija Catalano as the Mayor's community member appointment to serve on the Clayton Oversight Board to the Successor Agency. Tuija's appointment replaces former member Howard Geller, who resigned on December 19, 2016.

Sincerely,

Janet Brown, City Clerk

December 19, 2016

RECEIVED
DEC 19 2016
CITY OF CLAYTON
COMMUNITY DEVELOPMENT DEPT

Dear Clayton Oversight Board Clerk:

I will no longer be serving as on the Clayton Oversight Board, the Mayor will be making a new appointment effective December 20, 2016.

Sincerely,



Howard Geller



**OVERSIGHT BOARD
CLAYTON SUCCESSOR AGENCY**

1/4/2017

Board Members	
<p>Tuija Catalano Community Member- Mayors Appointment (Councilmember City of Clayton) 6000 Heritage Trail Clayton, CA 9451 City Offices: 925-673-7300 925-404-4255 (cell) tcatalano@ci.clayton.ca.us</p>	<p>Mindy Gentry Former RDA Employee (Com. Dev. Dir.) 6000 Heritage Trail Clayton, CA 9451 Office: 925-673-7300 mgentry@ci.clayton.ca.us</p>
<p>Vito Impastato Contra Costa County Fire Protection District 2010 Geary Road Pleasant Hill, CA 94523 925-595-1717 (cell) 925-941-3507 (office) vimpa@cccfd.org</p>	<p>Jonah Nicholas, Board Member Contra Costa Community College District 500 Court Street Martinez, CA 945536 Office 925-229-6944 jnicholas@4cd.edu; or Christia Chellew (cchellew@4cd.edu)</p>
<p>Dan Richardson Public Member 5565 Morningside Drive Clayton, CA 94517 925-672-3712 bckpckdan@comcast.net</p>	<p>Karen Mitchoff County Supervisor, District IV Contra Costa County Board of Supervisors 2151 Salvio Street, Suite R Concord, CA 94520 925-521-7100 SupervisorMitchoff@bos.cccounty.us; or Anne O (Anneo@bos.cccounty.us) Lisa Chow (Lisa.Chow@bos.cccounty.us)</p>
<p>John F. Hild, Business Services Director Contra Costa County Office of Education 77 Santa Barbara Road Pleasant Hill, CAS 94523 925-942-3333 jhild@cccocoe.k12.ca.us</p>	
Successor Agency Staff	
<p>Gary Napper City Manager 6000 Heritage Trail Clayton, CA 94517 925-673-7300 gnapper@ci.clayton.ca.us</p>	<p>Karen Tiedemann Special Legal Counsel Goldfarb & Lipman 1300 Clay Street, 11th Floor Oakland, CA 94612 Phone: 510-836-6336 Karen M. Tiedemann KTiedemann@goldfarblipman.com</p>
<p>Laura Hoffmeister Assistant to the City Manager 6000 Heritage Trail Clayton, CA 94517 925-673-7300 LHoffmeister@ci.clayton.ca.us</p>	<p>Kevin Mizuno, Finance Manager 6000 Heritage Trail Clayton, CA 94517 925-673-7300 kmizuno@ci.clayton.ca.us</p>



November 29, 2016

Mr. Kevin Mizuno, Finance Manager
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Dear Mr. Mizuno:

Subject: Approval of Oversight Board Action

The City of Clayton Successor Agency (Agency) notified the California Department of Finance (Finance) of its October 20, 2016 Oversight Board (OB) resolution on October 27, 2016. Pursuant to Health and Safety Code (HSC) section 34179 (h), Finance has completed its review of the OB action.

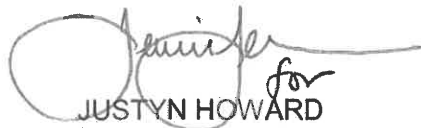
Based on our review and application of the law, OB Resolution No. 04-2016, approving transfer of property known as the Grove Park, located at 6100 Main Street, Assessor's Parcel Number 119-015-007, to the City of Clayton (City) for governmental use, is approved.

HSC section 34181 (a) (1) gives the OB the authority to direct the Agency to transfer ownership of assets that were constructed and used for a government purpose to the appropriate public jurisdiction. Finance concurs that the Grove Park property meets the definition of a government purpose asset and is therefore, eligible for transfer to the City.

This is our determination with respect to the OB action taken.

Please direct inquiries to Cindie Lor, Supervisor, or Anna Kyumba, Lead Analyst, at (916) 445-1546.

Sincerely,



JUSTYN HOWARD
Program Budget Manager

cc: Ms. Laura Hoffmeister, Assistant City Manager, City of Clayton
Mr. Bob Campbell, Auditor-Controller, Contra Costa County



STAFF REPORT

TO: CITY OF CLAYTON SUCCESSOR AGENCY OVERSIGHT BOARD

FROM: KEVIN MIZUNO, FINANCE MANAGER, CPA

DATE: JANUARY 12, 2017

SUBJECT: CONSIDER A RESOLUTION TO APPROVE AND ADOPT THE 11TH RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 2017-2018), PURSUANT TO THE DISSOLUTION ACT

RECOMMENDATION

It is recommended the Successor Agency Oversight Board adopt the attached Resolution approving the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018) covering the timeframe July 1, 2017 through June 30, 2018 pursuant to Section 31471(h) and 34177(l)(1) of the California Redevelopment Law – the Dissolution Act, [ABx1 26 and AB 1484].

BACKGROUND

Under the Dissolution Act, “enforceable obligations” of the former redevelopment agency (e.g. Clayton Redevelopment Agency) include the following financial arrangements (the ROPS of a city or county):

- Bonds
- Loans
- Payments required by state or federal government
- Obligations to employees
- Judgments or settlements
- Binding and legally enforceable agreements entered into before AB1x26
- Contracts for RDA administration, Successor Agency administration, and Oversight Board administration

The monies to fund payment of the requested ROPS enforceable obligations are issued by the Contra Costa County Auditor-Controller (CAC) to Clayton's "Redevelopment Obligation Retirement Fund". As its name implies, this fund replaces the former Redevelopment Agency's three Funds and functions as the repository for sufficient tax increment revenues in the amounts identified and approved in subsequent ROPS to effectively "retire" all former Clayton Redevelopment Agency debts and contractual obligations over a multi-year period. Once all identified and certified debts and obligations have been satisfied, the Successor Agency is then dissolved.

DISCUSSION

Prior Recognized Obligation Payment Schedule

A DOF Determination Letter dated April 11, 2016 accepted the Clayton Oversight Board-approved ROPS 2016-2017 with three modifications as follows:

- Complete disallowance of the \$592,412 in Supplemental Educational Revenue Augmentation Fund (SERAF) payments requested (Item No. 3).
- Reduction to administrative cost allowance of \$18,085 in accordance with the calculations established by *California Health & Safety Code* section 34171(b)(3).
- Reduction of RPTTF award by \$121,997, equal to the balance of "other funds" as reported in the Cash Balances Form section of the ROPS.

These DOF imposed modifications resulted in the Clayton Successor Agency receiving \$809,203 in June 2016 for enforceable obligations through the six month period ending December 31, 2016. Also, pursuant to the DOF's April 11, 2016 determination letter, the Clayton Successor Agency expects to receive \$106,915 in January 2017 for enforceable obligations through the six month period ending June 30, 2017.

Current Recognized Obligation Payment Schedule

Included herein, as Attachment 1 to this staff report, is the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018). Pursuant to *California Health & Safety Code* section 34177(o)(1), commencing with the ROPS 2016-2017 and thereafter, agencies shall now submit an Oversight Board approved annual ROPS to the State Department of Finance (DOF) and the CAC by February 1, 2016 and each February 1, thereafter. The DOF will make its determination by April 15, 2016, and each April 15 thereafter.

On this annual ROPS, the Successor Agency is requesting redevelopment property tax trust fund (RPTTF) monies to pay for obligations totaling \$594,439 and \$125,000 for the six month periods ending December 31, 2017 and June 30, 2018, respectively. In addition to RPTTF, the Successor Agency is requesting authorization to use post-due diligence review (DDR) reserves and other unencumbered balances to make payments on enforceable obligations consistent with direction of the DOF's April 11, 2016 determination letter.

For the six month period ending December 31, 2017 the Successor Agency is requesting authorization to make payments on the following enforceable obligations:

- Principal and interest on the 2014 Refunding Tax Allocation Bonds,
- Trustee and other professional service fees directly related to the bonds,
- First of four scheduled repayments on the SERAF loan from the Successor Housing Fund (No. 616) to Successor Agency Fund (No. 615), and
- Administrative costs under *California Health & Safety Code* section 34171(b).

Immediately thereafter, for the six month period ending June 30, 2018, the Successor Agency is requesting authorization to make payments on the following enforceable obligations:

- Interest on the 2014 Refunding Tax Allocation Bonds, and
- Administrative costs under *California Health & Safety Code* section 34171(b).

SERAF Loan

During FY 2009-10, as part of the State of California's emergency measures to address its own budgetary issues they imposed a two year raid on local redevelopment agencies in the form of SERAF demands. To the former Agency, this meant an astounding \$2,371,940 in SERAF payments was required to be made to the CAC between FY 2009-10 and FY 2010-11. In order to meet this massive obligation, an intra-agency loan of \$592,412 was established from the low-moderate income fund to the non-housing fund on May 19, 2010. The principal amount of this loan was originally scheduled for repayment in four equal installments of \$148,103 commencing FY 2011-12 and ending in FY 2014-15. With the state-imposed dissolution of redevelopment agencies effective February 1, 2012 and the rigorous new restrictions on SERAF loan repayments established through AB1484, the full principal balance the SERAF loan is currently outstanding and unpaid.

SERAF loans became eligible for repayment starting in the six month period ending December 31, 2014, provided that the following three circumstances are met: (1) The Successor Agency has completed its DDRs; (2) the results of the DDRs are reviewed by the Oversight Board; and (3) the Successor Agency has received a Notice of Completion by the DOF. As the Successor Agency has met each of these requirements, the previous ROPS (2016-2017) included a request for repayment of the SERAF loan in full in the six month period ending June 30, 2017. Repayment of the SERAF loan is an inter-fund transaction between the Successor Agency and Successor Housing Agency, and has no impact to the City of Clayton General Fund. As noted previously, this obligation was fully disallowed by the DOF, making reference to *California Health & Safety Code* section 34171(d)(1)(G) requiring an Oversight Board-approved repayment schedule.

On October 20, 2016 the Clayton Successor Agency Oversight Board adopted Resolution No. 3-2016 approving an agreement and repayment schedule for the SERAF loan in accordance with *California Health & Safety Code* section 34171(d)(1)(G). Consistent with the Oversight Board's

original approval of the SERAF loan repayment terms on April 26, 2012, the balance of the SERAF loan will be payable to the Successor Housing Agency in four equal principal installments of \$148,103 beginning in the fiscal year 2017-18 and ending in the fiscal year 2020-21 ROPS period. Accordingly, the ROPS 2017-2018 includes the first SERAF loan repayment of \$148,103 in the six month period ending December 31, 2017.

FISCAL IMPACT

Once approved by the DOF, ROPS 2017-2018 will be in place for the Successor Agency to make payments on agreements and other obligations of the former Redevelopment Agency for the period of time July 1, 2017 through June 30, 2018. Absence this approval the Successor Agency is not permitted to make such payments.

Respectively submitted,



Kevin Mizuno, CPA
Finance Manager

Attachments:

1. Oversight Board Resolution approving the 11th ROPS 2017-2018 Resolution (3 pp.)
 - o Exhibit A: 11th Recognized Obligation Payment Schedule (ROPS 2017-2018)

RESOLUTION NO. 1- 2017

**A RESOLUTION APPROVING AND ADOPTING THE
11th RECOGNIZED OBLIGATION PAYMENT SCHEDULE
(ROPS 2017-2018) FOR THE TIME PERIOD OF
JULY 01, 2017 THROUGH JUNE 30, 2018,
PURSUANT TO SECTION 31471(h) AND 34177(l)(1)
OF THE CALIFORNIA REDEVELOPMENT LAW**

**THE OVERSIGHT BOARD
Successor Agency for the City of Clayton, California**

WHEREAS, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the City Council (the "City Council") of the City of Clayton (the "City") adopted in accordance with the California Community Redevelopment Law, City Ordinance No. 243 on July 20, 1987 adopting the Redevelopment Plan for the Clayton Redevelopment Project Area (the "Redevelopment Plan"), as amended from time to time; and

WHEREAS, the Redevelopment Agency of the City of Clayton (the "Agency") is responsible for implementing the Redevelopment Plan pursuant to said Redevelopment Law; and

WHEREAS, Assembly Bill X1 26 (the "Dissolution Act") and Assembly Bill X1 27 (the "Alternative Redevelopment Program Act") were enacted by the State of California on June 28, 2011, to significantly modify the Community Redevelopment Law and to end the existence of or modify continued operation of redevelopment agencies throughout the state (Health & Safety Code §33000, et seq.; the "Redevelopment Law"); and

WHEREAS, on August 11, 2011, the California Supreme Court agreed to review the California Redevelopment Association and League of California Cities' petition challenging the constitutionality of these Redevelopment Restructuring Acts; and

WHEREAS, on December 29, 2011, the California Supreme Court ruled that the Dissolution Act is largely constitutional and the Alternative Redevelopment Program Act is unconstitutional; and

WHEREAS, the Court's decision means that all California redevelopment agencies, including the Clayton Redevelopment Agency, are now terminated and have been automatically dissolved on February 1, 2012 pursuant to the Dissolution Act; and

WHEREAS, on January 17, 2012 by Resolution No. 03-2012, the Clayton City Council did exercise its priority right and took action to become the Successor Agency and the Successor Housing Agency of the former Clayton Redevelopment Agency; and

WHEREAS, December 1, 2016 the California Department of Finance (DOF) posted instructions for completing the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018) covering the time period of July 1, 2017 through June 30, 2018, including the requirement that the ROPS 2017-2018 must be approved by its Oversight Board and submitted electronically to the DOF by February 1, 2017; and

WHEREAS, under Title 14 of the California Code of Regulations, Section 15378(b)(4), the approval of the ROPS is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a project, but instead consists of the continuation of an existing governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program because it merely lists enforceable obligations previously entered into and approved by the former Clayton Redevelopment Agency; and

WHEREAS, on January 12, 2017 the City of Clayton Successor Agency Oversight Board has reviewed and duly considered the Staff Report, the proposed 11th Recognized Obligation Payment Schedule (ROPS 2017-2018), plus documents and other written evidence presented at the meeting.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board for the Successor Agency does hereby find the above Recitals are true and correct and have served, together with the supporting documents, as the basis for the findings and approvals set forth below.

BE IT FURTHER RESOLVED that the Oversight Board does hereby approve and adopt the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018), attached hereto as "Exhibit A" and incorporated herein as if fully set forth in this Resolution.

BE IT FURTHER RESOLVED that the Oversight Board authorizes and directs its City Manager or the City Manager's designee to: (1) post the 11th Recognized Obligation Payments Schedule (Exhibit A) on the City's website; (2) designate a City representative to whom all questions related to the 11th Recognized Obligation Payment Schedule can be directed; (3) notify, by mail or electronic means, the County Auditor-Controller, the State Department of Finance, and the State Controller of the Oversight Board's action to adopt the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018), and to provide those persons with the internet website location of the posted schedule and the contact information for the City's designated contact; and (4) to take such other actions and execute such other documents as are appropriate to effectuate the intent of this Resolution and to implement the Recognized Obligation Payment Schedule on behalf of the Oversight Board, Successor Agency, and the City.

BE IT FURTHER RESOLVED that if any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or of Exhibit A, or any part thereof is for any reason held to be unconstitutional, invalid or ineffective, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution, Exhibit A or any part thereof. The Successor Agency Oversight Board hereby declares that it

ATTACHMENT 1

would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or of Exhibit A irrespective of the fact that one or more sections, subsections, subdivision, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. To this end the provisions of this Resolution and of Exhibit A are declared to be severable.

AND BE IT FURTHER RESOLVED that this Resolution shall and does take immediate effect upon its adoption.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency of the City of Clayton, California at a regular public meeting thereof held on the 12th day of January 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE OVERSIGHT BOARD FOR THE
SUCCESSOR AGENCY FOR THE
CITY OF CLAYTON, CA

Dan Richardson, Chair

ATTEST:

Laura Hoffmeister, Clerk of the Board

Recognized Obligation Payment Schedule (ROPS 17-18) - Summary
 Filed for the July 1, 2017 through June 30, 2018 Period

Successor Agency: Clayton
 County: Contra Costa

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	17-18A Total (July - December)	17-18B Total (January - June)	ROPS 17-18 Total
A Enforceable Obligations Funded as Follows (B+C+D):	\$ 112,897	\$ 31,510	\$ 144,407
B Bond Proceeds	38,033	31,510	69,543
C Reserve Balance	60,697	-	60,697
D Other Funds	14,167	-	14,167
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 594,439	\$ 125,000	\$ 719,439
F RPTTF	469,439	-	469,439
G Administrative RPTTF	125,000	125,000	250,000
H Current Period Enforceable Obligations (A+E):	\$ 707,336	\$ 156,510	\$ 863,846

Certification of Oversight Board Chairman:
 Pursuant to Section 34177 (o) 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 successor agency.

 Name Title

/s/ _____
 Signature Date

**Clayton Recognized Obligation Payment Schedule (ROPS 17-18) - Report of Cash 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. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#).

A	B	C	D	E	F	G	H	I	
		Fund Sources							
		Bond Proceeds		Reserve Balance		Other	RPTTF		
	Cash Balance Information by ROPS Period	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	Comments	
ROPS 15-16B Actuals (01/01/16 - 06/30/16)									
1	Beginning Available Cash Balance (Actual 01/01/16)	228,537	-	60,697	-	121,997	6,050	Cell G1: RPTTF requested in ROPS 2016-17 already reduced by \$121,997 by DOF for fiscal year ending 6/30/17. Spent in 6 months ending 12/31/16 per DOF instructions.	
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16B distribution from the County Auditor-Controller during June 2016	6	-	-	-	14,167	125,000	Cell G2: This is the only "Other" cash balance (\$14,167) available for ROPS 2017-18 obligations, excluding remaining balances in columns E or H.	
3	Expenditures for ROPS 15-16B Enforceable Obligations (Actual 06/30/16)								
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	39,848	-	-	-	-	125,000		
5	ROPS 15-16B RPTTF Balances Remaining							No entry required	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 188,695	\$ -	\$ 60,697	\$ -	\$ 136,164	\$ 6,050	Cell G1: RPTTF requested in ROPS 2016-17 already reduced by \$121,997 by DOF for fiscal year ending 6/30/17. Spent in 6 months ending 12/31/16 per DOF instructions.	

RESOLUTION NO. 1- 2017

**A RESOLUTION APPROVING AND ADOPTING THE
11th RECOGNIZED OBLIGATION PAYMENT SCHEDULE
(ROPS 2017-2018) FOR THE TIME PERIOD OF
JULY 01, 2017 THROUGH JUNE 30, 2018,
PURSUANT TO SECTION 31471(h) AND 34177(l)(1)
OF THE CALIFORNIA REDEVELOPMENT LAW**

**THE OVERSIGHT BOARD
Successor Agency for the City of Clayton, California**

WHEREAS, pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.; the "Redevelopment Law"), the City Council (the "City Council") of the City of Clayton (the "City") adopted in accordance with the California Community Redevelopment Law, City Ordinance No. 243 on July 20, 1987 adopting the Redevelopment Plan for the Clayton Redevelopment Project Area (the "Redevelopment Plan"), as amended from time to time; and

WHEREAS, the Redevelopment Agency of the City of Clayton (the "Agency") is responsible for implementing the Redevelopment Plan pursuant to said Redevelopment Law; and

WHEREAS, Assembly Bill X1 26 (the "Dissolution Act") and Assembly Bill X1 27 (the "Alternative Redevelopment Program Act") were enacted by the State of California on June 28, 2011, to significantly modify the Community Redevelopment Law and to end the existence of or modify continued operation of redevelopment agencies throughout the state (Health & Safety Code §33000, et seq.; the "Redevelopment Law"); and

WHEREAS, on August 11, 2011, the California Supreme Court agreed to review the California Redevelopment Association and League of California Cities' petition challenging the constitutionality of these Redevelopment Restructuring Acts; and

WHEREAS, on December 29, 2011, the California Supreme Court ruled that the Dissolution Act is largely constitutional and the Alternative Redevelopment Program Act is unconstitutional; and

WHEREAS, the Court's decision means that all California redevelopment agencies, including the Clayton Redevelopment Agency, are now terminated and have been automatically dissolved on February 1, 2012 pursuant to the Dissolution Act; and

WHEREAS, on January 17, 2012 by Resolution No. 03-2012, the Clayton City Council did exercise its priority right and took action to become the Successor Agency and the Successor Housing Agency of the former Clayton Redevelopment Agency; and

WHEREAS, December 1, 2016 the California Department of Finance (DOF) posted instructions for completing the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018) covering the time period of July 1, 2017 through June 30, 2018, including the requirement that the ROPS 2017-2018 must be approved by its Oversight Board and submitted electronically to the DOF by February 1, 2017; and

WHEREAS, under Title 14 of the California Code of Regulations, Section 15378(b)(4), the approval of the ROPS is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a project, but instead consists of the continuation of an existing governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program because it merely lists enforceable obligations previously entered into and approved by the former Clayton Redevelopment Agency; and

WHEREAS, on January 12, 2017 the City of Clayton Successor Agency Oversight Board has reviewed and duly considered the Staff Report, the proposed 11th Recognized Obligation Payment Schedule (ROPS 2017-2018), plus documents and other written evidence presented at the meeting.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board for the Successor Agency does hereby find the above Recitals are true and correct and have served, together with the supporting documents, as the basis for the findings and approvals set forth below.

BE IT FURTHER RESOLVED that the Oversight Board does hereby approve and adopt the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018), attached hereto as "Exhibit A" and incorporated herein as if fully set forth in this Resolution.

BE IT FURTHER RESOLVED that the Oversight Board authorizes and directs its City Manager or the City Manager's designee to: (1) post the 11th Recognized Obligation Payments Schedule (Exhibit A) on the City's website; (2) designate a City representative to whom all questions related to the 11th Recognized Obligation Payment Schedule can be directed; (3) notify, by mail or electronic means, the County Auditor-Controller, the State Department of Finance, and the State Controller of the Oversight Board's action to adopt the 11th Recognized Obligation Payment Schedule (ROPS 2017-2018), and to provide those persons with the internet website location of the posted schedule and the contact information for the City's designated contact; and (4) to take such other actions and execute such other documents as are appropriate to effectuate the intent of this Resolution and to implement the Recognized Obligation Payment Schedule on behalf of the Oversight Board, Successor Agency, and the City.

BE IT FURTHER RESOLVED that if any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or of Exhibit A, or any part thereof is for any reason held to be unconstitutional, invalid or ineffective, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution, Exhibit A or any part thereof. The Successor Agency Oversight Board hereby declares that it

would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution or of Exhibit A irrespective of the fact that one or more sections, subsections, subdivision, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective. To this end the provisions of this Resolution and of Exhibit A are declared to be severable.

AND BE IT FURTHER RESOLVED that this Resolution shall and does take immediate effect upon its adoption.

PASSED, APPROVED AND ADOPTED by the Oversight Board for the Successor Agency of the City of Clayton, California at a regular public meeting thereof held on the 12th day of January 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE OVERSIGHT BOARD FOR THE
SUCCESSOR AGENCY FOR THE
CITY OF CLAYTON, CA

Dan Richardson, Chair

ATTEST:

Laura Hoffmeister, Clerk of the Board