

RESOLUTION 13-04

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
TO THE FORMER REDEVELOPMENT AGENCY OF THE
CITY OF SANTA CLARITA, CALIFORNIA, APPROVING THE
TRANSMITTAL OF \$63,835 TO THE LOS ANGELES COUNTY-AUDITOR
CONTROLLER AND AMENDING RECOGNIZED OBLIGATION PAYMENT
SCHEDULE FOR JANUARY 1, 2013- JUNE 30, 2013

WHEREAS, Health and Safety Code Section 34179.5 requires the Successor Agency to employ a licensed accountant to complete two Due Diligence Reviews of the funds of the former Redevelopment Agency.

WHEREAS, the Successor Agency selected Marcum LLP to complete the Due Diligence Reviews. This selection was approved by the Los Angeles County Auditor Controller as required by Health and Safety Code Section 34179.5.

WHEREAS, Health and Safety Code Section 34179.6(a) requires the Successor Agency to provide the results of the Due Diligence Review to the Oversight Board, the County Auditor-Controller, and State Controller, and the Department of Finance by October 1, 2012.

WHEREAS, the Successor Agency provided the Due Diligence Review for Housing to the Oversight Board, the Los Angeles County Auditor Controller, the State Controller, and the Department of Finance on September 27, 2012.

WHEREAS, the Oversight Board convened a public comment session in accordance with Health and Safety Code Section 34179.6 (b) on October 1, 2012.

WHEREAS, a special meeting of the Oversight Board was held on October 10, 2012 at which time the Oversight Board approved the findings of the Due Diligence Review for Housing by Resolution 12-06.

WHEREAS, on October 11, 2012, notice of the Oversight Board's action in addition to a copy of the approved Due Diligence Review for housing was provided to the Department of Finance, the Los Angeles County Auditor-Controller, and the State Controller's Office.

WHEREAS, on November 9, 2012, the Successor Agency received a letter from the Department of Finance adjusting the balance of former low-and moderate income housing funds available to taxing entities from \$402,766 to \$5,855,293.

WHEREAS, the Successor Agency disagreed with the Department of Finance's determination and requested a Meet and Confer on November 16, 2012.

WHEREAS, a Meet and Confer session was held with the Successor Agency and the Department of Finance on November 30, 2012 as required by AB 1484 and as outlined in the Meet and Confer procedures issued by the Department of Finance.

WHEREAS, on December 15, 2012, the Department of Finance issued their final determination on the Due Diligence Review which included an adjustment from the original projected submission of \$402,766 to \$3,005,293.

WHEREAS, the Department of Finance provided the Successor Agency with a revised determination on January 11, 2013, of \$451,742. Both the Successor Agency and the Oversight Board expressed concern over this final determination amount. The Successor Agency did submit \$387,907 to the Los Angeles County Auditor-Controller by the statutory deadline, as this amount the Successor Agency did not dispute, leaving an outstanding amount of \$63,835.

WHEREAS, the Oversight Board gave direction to Successor Agency staff to continue to negotiate with the Department of Finance in an attempt to reduce the outstanding amount to \$0 in light of the need for the funds to be utilized for bond reserve payments.

WHEREAS, the Department of Finance issued a letter to the Successor Agency on March 8, 2013 requesting for the outstanding balance of \$63,835 to be paid expeditiously.

WHEREAS, Successor Agency staff have no reason to believe that further negotiation with the Department of Finance will yield any change to the Department's position on the \$63,835.

WHEREAS, pursuant to Health and Safety Code Section 34179.6, the Department of Finance can order a portion of the property tax to be transferred to the Successor Agency as part of ROPS 13-14A to be withheld if the Successor Agency does not transfer the \$63,835 to the County Auditor-Controller.

WHEREAS, failure to transfer the \$63,835 may inhibit the Successor Agency's ability to receive a Finding of Completion as authorized by Health and Safety Code Section 34179.7.

WHEREAS, there remains a need for \$63,835 to be paid during the ROPS III (January – June 2013) period toward reserves to pay the Successor Agency's bonded indebtedness obligations during the ROPS 13-14A time period for which the ROPS 13-14A will not provide sufficient tax revenues to the Successor Agency.

WHEREAS, Health and Safety Code Section 34179(h) authorizes the Department of Finance to agree to amended ROPS where the amendment reflects resolution of a disputed item.

WHEREAS, with the \$63,835 now no longer disputed and to be paid to the County Auditor-Controller, the ROPS III needs to be amended to reflect the correct payment source for the bond reserve funds.

WHEREAS, the Oversight Board desires to amend the ROPS for the period of January 1, 2013- June 30, 2013 in the form of the ROPS attached hereto and incorporated

by reference herein, as prepared by the Successor Agency, to reflect this correct payment source.

WHEREAS, Pursuant to Health and Safety Code Section 34177(1)(B), Successor Agency staff provided a copy of the amended ROPS to the Los Angeles County Auditor-Controller, the Los Angeles County Administrative Officer, and the Department of Finance at the same time the amended ROPS was provide to the Oversight Board.

NOW, THEREFORE, the Oversight Board of the Successor Agency to the Former Redevelopment Agency of the City of Santa Clarita does hereby resolve as follows:

SECTION 1. The Oversight Board hereby finds and determines that the foregoing recitals are true and correct.

SECTION 2. The amended ROPS for the period of January 1, 2013- June 30, 2013 attached hereto and incorporated by reference herein is hereby approved.

SECTION 3. The Successor Agency staff is directed to transmit notice of this action to the Department of Finance.

SECTION 4. The Successor Agency staff is directed to transmit \$63,835 to the Los Angeles County Auditor-Controller.

SECTION 5. This resolution shall take effect immediately upon its adoption.

SECTION 5. The Oversight Board Meeting Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 16th day of April 2013.



Ken Striplin
Chairman

ATTEST:



Helga Deyo
Oversight Board Meeting Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

CITY OF SANTA CLARITA)

I, Helga Deyo, Oversight Board Meeting Clerk, do hereby certify that the foregoing Resolution was duly adopted by the Oversight Board of the Successor Agency to the Former Redevelopment Agency of the City of Santa Clarita at a regular meeting thereof, held on the 16th day of April, 2013, by the following vote:

AYES: DORTCH, HERNANDEZ, HOERBER, KEOGLE, STRIPLIN, SWARTZ

NOES: NONE

ABSENT: COLEAL


Oversight Board Meeting Clerk