

RESOLUTION NO. 2011-20R

A RESOLUTION OF THE MANTECA REDEVELOPMENT AGENCY APPROVING A PRELIMINARY DRAFT OF AN INITIAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO PART 1.8 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH

RECITALS:

A. The Manteca Redevelopment Agency (the "Agency") is a redevelopment agency in the City of Manteca (the "City"), created pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "Redevelopment Law").

B. The City Council of the City (the "City Council") adopted Ordinance No. 750, approving and adopting the redevelopment plan for the Manteca Redevelopment Project No. 1, and from time to time the City Council has amended such redevelopment plan. The City Council adopted Ordinance No. 984, approving and adopting the redevelopment plan for the Manteca Redevelopment Project No. 2, and from time to time the City Council has amended such redevelopment plan. The City Council adopted Ordinance No. 1124, approving and adopting the amended redevelopment plan for the Merged Redevelopment Project, merging Project No. 1 and Project No. 2, and from time to time, the City Council has amended the amended plan. The City Council adopted Ordinance No. 1494 approving and adopting the redevelopment plan for the Manteca Redevelopment Project No. 3. The Agency is undertaking a program to redevelop the Project Areas.

C. AB X1 26 was signed by the Governor of California on June 29, 2011, making certain changes to the Redevelopment Law, including adding Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170) to Division 24 of the California Health and Safety Code. Commencing upon the effectiveness of AB X1 26, AB X1 26 suspends most redevelopment agency activities and, among other things, prohibits redevelopment agencies from incurring indebtedness or entering into or modifying contracts. Effective October 1, 2011, AB X1 26 dissolves all existing redevelopment agencies and redevelopment agency components of community development agencies, designates successor agencies to the former redevelopment agencies, imposes numerous requirements on the successor agencies and subjects successor agency actions to the review of oversight boards established pursuant to the provisions of Part 1.85.

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D. Health and Safety Code Section 34169 (h), which is set forth in Part 1.8, requires a redevelopment agency to prepare a preliminary draft of an initial recognized obligation payment schedule by no later than September 30, 2011, and provide it to the successor agency, if a successor agency is established pursuant to Part 1.85. The initial recognized obligation payment schedule must set forth the minimum payment amounts and due dates of payments required by enforceable obligations for the six-month period from January 1, 2012 through June 30, 2012.

E. AB X1 27 was signed by the Governor of California on June 29, 2011, adding Part 1.9 (commencing with Section 34192) to Division 24 of the California Health and Safety Code. Part 1.9 establishes an Alternative Voluntary Redevelopment Program whereby, notwithstanding the provisions of Part 1.8 and Part 1.85, a redevelopment agency will be authorized to continue to exist and carry out the provisions of the Redevelopment Law upon the enactment, prior to the applicable deadline established in Part 1.9 (with the earliest deadline being October 1, 2011), by the city council of the city which includes that redevelopment agency of an ordinance to comply with Part 1.9. Pursuant to Health and Safety Code Section 34192, if a city participates in the Alternative Voluntary Redevelopment Program and complies with all requirements and obligations contained in Part 1.9, the redevelopment agency in that city will be exempt from Part 1.8 and Part 1.85.

F. The California Redevelopment Association and League of California Cities have filed a lawsuit in the Supreme Court of California alleging that AB X1 26 and AB X1 27 are unconstitutional. On August 11, 2011, the Supreme Court of California decided to hear the case and set a briefing schedule designed to allow the Supreme Court to decide the case before January 15, 2012. On August 11, 2011, the Supreme Court also issued a stay order, which was subsequently modified on August 17, 2011. Pursuant to the modified stay order, the Supreme Court granted a stay of all of AB X1 27 (i.e., Part 1.9), except for Health and Safety Code Section 34194(b)(2) (relating to the determination of cities' fiscal year 2011-12 remittance amounts) and a partial stay of AB X1 26. With respect to AB X1 26, Part 1.85 was stayed in its entirety, but Part 1.8 (including Health and Safety Code Section 34169) was not stayed. Accordingly, the Agency desires to approve a preliminary draft of an initial recognized obligation payment schedule.

**NOW, THEREFORE, THE MANTECA REDEVELOPMENT AGENCY
HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. This Resolution is adopted pursuant to Health and Safety Code Section 34169.

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Section 3. The Agency hereby approves the preliminary draft of the initial recognized obligation payment schedule substantially in the form attached as Exhibit A to this Resolution and incorporated herein by reference (the "ROPS"). The Executive Director of the Agency, in consultation with the Agency's legal counsel, may modify the ROPS as the Executive Director or the Agency's legal counsel deems necessary or advisable.

Section 4. The Agency Secretary is hereby authorized and directed to transmit a copy of the ROPS to the successor agency designated pursuant to Part 1.85 if a successor agency has been designated.

Section 5. The Agency hereby designates the Finance Director as the official to whom the Department of Finance may make requests for review in connection with the ROPS and who shall provide the Department of Finance with the telephone number and e-mail contact information for the purpose of communicating with the Department of Finance.

Section 6. The officers and staff of the Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution, and any such actions previously taken by such officers are hereby ratified and confirmed.

Section 7. The approval of the ROPS is not intended and shall not constitute a waiver by the Agency of any rights the Agency may have to challenge the legality of all or any portion of AB X1 26 or AB X1 27 through administrative or judicial proceedings.

Section 8. 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, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the Agency's environmental guidelines. The Agency has determined 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. (Guidelines Section 15378(b) (5)).

DATED: September 20, 2011

ROLL CALL:

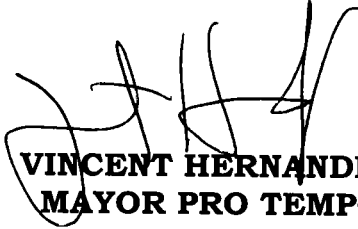
AYES: Councilmembers DeBrum, Harris, Hernandez and Moorhead

NOES: None

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ABSENT: Mayor Weatherford

ABSTAIN: None



VINCENT HERNANDEZ, II
MAYOR PRO TEMPORE

ATTEST:



JOANN TILTON, MMC
CITY CLERK

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (Draft)
 Per AB 26 - Section 34169(h)

Project Name / Debt Obligation	Payee	Description	Payment Source	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month (2012)						
						Jan.	Feb.	Mar.	Apr.	May	June	Total
1) 2004 Merged Area Tax Housing Set Aside Allocation Refund Bonds		Bonds issue to fund housing projects	Property Tax Tr. Fund	8,367,062.00	351,972.50				113,586.25			\$ 113,586.25
2) 2004 Merged Area Tax Allocation Refund Bonds		Bonds issue to fund non-housing projects	Property Tax Tr. Fund	44,770,917.00	1,830,065.00				555,613.75			\$ 555,613.75
3) 2002 Tax Allocation Revenue Bonds		Bonds issue to fund non-housing projects	Property Tax Tr. Fund	44,508,266.00	2,118,500.00				638,831.25			\$ 638,831.25
4) 2006 Amended Merged Project Area Subordinate Tax Allocation Bonds		Bonds issue to fund non-housing projects	Property Tax Tr. Fund	40,196,927.00	1,383,191.00				485,795.37			\$ 485,795.37
5) Successor Agency Admin Fee	San Joaquin County	Bonds issue to fund non-housing projects	Admin. Allowance		764,283.00						764,283.00	\$ 764,283.00
6) Pass Through Payments	Various taxing entities	Bonds issue to fund non-housing projects	Property Tax Tr. Fund	225,773,118.00	2,034,834.00						2,034,834.00	\$ 2,034,834.00
7) County Admin Fee	County of San Joaquin	Admin Fee	Property Tax Tr. Fund		360,000.00						360,000.00	\$ 360,000.00
8) 2005 Amended Project Area Variable Rate Refunding Bonds		Bonds issue to fund non-housing projects	Property Tax Tr. Fund	92,175,996.00	3,436,200.00	245,516.00	245,516.00	245,516.00	245,516.00	245,516.00	245,516.00	\$ 1,473,096.00
9) Administrative Support	City of Manteca	Payroll for employees supporting agency activities	Property Tax Tr. Fund		1,741,125.00	145,093.75	145,093.75	145,093.75	145,093.75	145,093.75	145,093.75	\$ 870,562.50
10) Legal Costs	Richards Watson Gershon	Legal Costs	Property Tax Tr. Fund	80,000.00		7,777.78	7,777.78	7,777.78	7,777.78	7,777.78	7,777.78	\$ 46,666.68
11) RDA Fiscal Consultant	Urban Futures, Inc.	Financial Services	Property Tax Tr. Fund		10,000.00	4,000.00					4,000.00	\$ 8,000.00
12) OPA	HOPE Ministries	HOPE Family Shelter Rehabilitation		1,243,440.00	905,497.36							\$ -
13) Pre-Development Loan	LDA Partners	HOPE Family Shelter Rehabilitation		188,750.00	7,649.72							\$ -
14) Professional Service Agreement	MIG	Community Based Government		59,913.00	49,786.85							\$ -
15) Professional Service Agreement	Keyser Marston	Financial Services		35,000.00	31,045.00							\$ -
16) Contract Employee	Avilla, Lane	Code Enforcement Officer	Property Tax Tr. Fund	46,500.00	46,500.00	2,541.67	2,541.67	2,541.67	2,541.67	2,541.67	2,541.67	\$ 15,250.02
17) Professional Service Agreement	Van Scoyoc Associates	Retainer	Property Tax Tr. Fund		20,400.00	1,700.00	1,700.00	1,700.00	1,700.00	1,700.00	1,700.00	\$ 10,200.00
18) Professional Service Agreement	Market Feasibility Advisors	FEZ Feasibility Study	Property Tax Tr. Fund	57,000.00	57,000.00	6,333.33	6,333.33	6,333.33	6,333.33	6,333.33	6,333.33	\$ 37,999.98
19) Lease	Sephos Trust	Lease property for 10 years		135,000.00	15,000.00							\$ -
20) Contract	Rodgers Construction	HOPE frontage Improvements		109,650.00	109,650.00							\$ -
21) Professional Service Agreement	Ron Palmquist	Appraiser		7,500.00	5,125.00							\$ -
22) Contract	Quincy Engineering Inc	South Union/ 120 Interchange		81,662.04	81,662.04							\$ -
23) Contract	Suarez & Munoz Constr., Inc	Library Park Expansion		274,274.43	274,274.43							\$ -
24) Contract	Maze and Associates	Audit	Property Tax Tr. Fund	10,000.00	10,000.00	1,000.00	1,000.00					\$ 2,000.00
25) Parking Lot Lease	Nadean Costa & Bonnie Galas	173 E. Yosemite Ave Lease	Property Tax Tr. Fund	1,200.00	1,200.00						1,200.00	\$ 1,200.00
26) Parking Lot Lease	MRPS	133 N. Grant Avenue Lease		4,032.00	2,016.00							\$ -
27) Parking Lot Lease	MRPS	114 N. Grant Avenue Lease		2,880.00	1,440.00							\$ -
28) Parking Lot Lease	FESM	230 & 252 N. Main Street Lease	Property Tax Tr. Fund	25,560.00	5,112.00				5,112.00			\$ 5,112.00
				\$ 458,074,647.47	\$ 15,733,528.90	\$ 413,962.53	\$ 409,962.53	\$ 408,962.53	\$ 2,207,901.15	\$ 408,962.53	\$ 3,573,279.53	\$ 7,423,030.80
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				\$ 458,074,647.47	\$ 15,733,528.90	\$ 413,962.53	\$ 409,962.53	\$ 408,962.53	\$ 2,207,901.15	\$ 408,962.53	\$ 3,573,279.53	\$ 7,423,030.80