

RESOLUTION NO. OB 2014-16

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE, THE RESTRUCTURING OF TOWNGATE ACQUISITION NOTES PAYMENT SCHEDULE, AND ADMINISTRATIVE BUDGET FOR THE PERIOD OF JANUARY 1, 2015 THROUGH JUNE 30, 2015 (ROPS 14-15 B), AND AUTHORIZING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO MAKE MODIFICATIONS THERETO

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, et seq. ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011 (which dated has been deemed to be February 1, 2012 pursuant to a decision by the California Supreme Court), and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain

“enforceable obligations” and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, in connection with the implementation of those provisions of ABX1 26 which require the adoption of an enforceable obligation schedule, the City serving as the Successor Agency has previously adopted an amended enforceable obligation schedule in the form previously submitted (the “Amended Enforceable Obligation Schedule”) and has authorized the City Manager or his designee to augment, modify or revise such Amended Enforceable Obligation Schedule; and

WHEREAS, ABX1 26 further requires the adoption of an Initial Recognized Obligation Payment Schedule; such initial Recognized Obligation Payment Schedule was approved by Resolution No. 2012-13 of the City of Moreno Valley serving as Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley (“Successor Agency”) on February 28, 2012; and

WHEREAS, ABX1 26 further requires the adoption of a Recognized Obligation Payment Schedule for every six month period; and

WHEREAS, an oversight board, as provided under ABX1 26 (“Oversight Board”) has been established for the former Agency; and

WHEREAS, pursuant to ABX1 26 and the implementation thereof, the Oversight Board desires to adopt the Recognized Obligation Payment Schedule, the restructuring of Towngate Acquisition Notes Payment Schedule, and Administrative Budget for the period covering January 1, 2015 through June 30, 2015 (“ROPS 14-15 B”), in the form submitted herewith. The ROPS 14-15 B is attached hereto, marked as Exhibit “A”, and is incorporated herein by reference. By this resolution, the Oversight Board approves and authorizes the transmittal of the ROPS 14-15 B to the Department of Finance; and

WHEREAS, ROPS 14-15B as submitted herewith includes certain promissory notes known as the Towngate Notes which are proposed to have their payment schedule revised, including the reduction of the applicable interest rate; and

WHEREAS, the Oversight Board has the authority to approve the renegotiation of Successor Agency obligations which reduce liabilities and increase net revenues to the taxing entities; and

WHEREAS, given the adoption of ABX1 26, the Oversight Board has duly considered this Resolution and the staff report presented in connection herewith and has determined that the adoption of this Resolution is in the best interests of the Board and the health, safety, and welfare of the residents of the City, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

SECTION 2. The Oversight Board finds and determines that the modification of the payment schedule for the Towngate Notes would be in the best interests of the taxing entities by providing for a reduction in interest rate, which would reduce the liabilities of the Successor Agency and increase net revenues to the taxing entities.

SECTION 3. The Oversight Board approves for transmittal to the Department of Finance, the Recognized Obligation Payment Schedule, including the restructuring of Towngate Acquisition Notes Payment Schedule, and the Administrative budget, in the amount of \$125,000, for the period of January 1, 2015 through June 30, 2015 ("Exhibit A").

SECTION 4. The Successor Agency shall maintain on file as a public record this Resolution and ROPS 14-15 B as approved hereby.

SECTION 5. This Resolution shall be effective immediately upon adoption.

SECTION 6. The Secretary of the Oversight Board shall certify to the adoption of this Resolution.

APPROVED, AND ADOPTED at a special meeting of the Oversight Board of Successor Agency to Community Redevelopment Agency of the City of Moreno Valley, held on this the 24th day of September 2014.



Chairperson - *VILE*
Oversight Board of the City as
Successor Agency for the
Community Redevelopment
Agency of the City of Moreno
Valley

ATTEST:



Oversight Board Secretary

Resolution No. OB 2014-16
Date Adopted: September 24, 2014

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

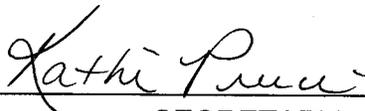
I, Kathi Pierce, Secretary of the Oversight Board of the City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that Resolution NO. OB 2014-16 was duly and regularly adopted by the Board Members of the Successor Agency Oversight Board at a regular meeting thereof held on the 24th day of September, 2014 by the following vote:

AYES: Vice Chair Carlson, Board Members Dada, Slawson, Strickler, Kakish, Ansari

NOES: None

ABSENT: Chairman Moss

ABSTAIN: Board Member Slawson abstained from Item 20
 Board Member Strickler abstained from Items 13, 14 and 82



SECRETARY

Resolution No. OB 2014-16
Date Adopted: September 24, 2014