

RESOLUTION NO. 12-05

A RESOLUTION OF THE SAN GABRIEL CITY COUNCIL, SAN GABRIEL, CALIFORNIA, APPROVING AND ADOPTING A REVISED ENFORCEABLE OBLIGATIONS PAYMENT SCHEDULE PURSUANT TO AB 1X 26

WHEREAS, the City Council of the City of San Gabriel (“City”) approved and adopted the Redevelopment Plan for the East San Gabriel Commercial Development Project (“Redevelopment Plan”) covering certain properties within the city (the “Project Area”);

WHEREAS, the San Gabriel Redevelopment Agency (“Agency”) has been engaged in activities to execute and implement the Redevelopment Plan pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*) (“CRL”);

WHEREAS, since adoption of the Redevelopment Plan, the Agency has undertaken redevelopment projects in the Project Area to eliminate blight, to improve public facilities and infrastructure, to renovate and construct affordable housing, and to enter into partnerships with private industries to create jobs and expand the local economy;

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature enacted, and the Governor signed AB 1X 26 requiring that each redevelopment agency be dissolved;

WHEREAS, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861), challenging the constitutionality of AB 1X 26 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement;

WHEREAS, on August 11, 2011, and modified on August 17, 2011, the Supreme Court stayed portions of AB 1X 26 during the pendency of the matter;

WHEREAS, on December 29, 2011, the Supreme Court issued its final decision in the aforesaid litigation, upholding AB 1X 26 and extending all statutory deadlines under AB 1X 26, essentially dissolving all redevelopment agencies throughout the State effective February 1, 2012;

WHEREAS, AB 1X 26 further provides that, upon their dissolution, any property taxes that would have been allocated to redevelopment agencies will no longer be deemed tax increment, and will be allocated first to successor agencies to make payments on the existing indebtedness of the dissolved redevelopment agencies, with remaining balances allocated in accordance with applicable constitutional and statutory provisions;

WHEREAS, AB 1X 26 provides that successor agencies be designated as successor entities to the former redevelopment agencies, and provides that, with certain exceptions, all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies, under the CRL, are vested in the successor agencies;

WHEREAS, The requirement of Health and Safety Code Section 34169 that agencies adopt, by August 27, 2011, an Enforceable Obligation Payment Schedule (“EOPS”) was stayed by the August 11, 2011 stay order;

WHEREAS, on August 17, 2011, the Court modified its order to, inter alia, lift the stay on the requirement that an EOPS be adopted by August 27, 2011;

WHEREAS, the Executive Director on August 25, 2011 and the Agency Board on August 29, 2011, adopted the EOPS for the period through December 31, 2011; and

WHEREAS, adoption of a Revised EOPS allows the City to make Agency payments on debts and obligations listed on the EOPS through June 30, 2012.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN GABRIEL, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Approval of Revised EOPS. The City as Successor Agency hereby approves and adopts the Revised Enforceable Obligation Payment Schedule, in substantially the form attached hereto as Exhibit A, as required by Health and Safety Code Section 34169.

Section 3. Posting; Transmittal to Appropriate Agencies. The City Manager is hereby authorized and directed to post a copy of the Revised EOPS on the City’s website. The City Manager is further authorized and directed to transmit, by mail or electronic means, to the Los Angeles County Auditor-Controller, the State Controller and the Department of Finance, notification providing the website location of the posted Revised EOPS and other information as required by AB 1X 26.

Section 4. Designation of Contact Person. In accordance with Health and Safety Code Section 34169(i), the City hereby designates Thomas C. Marston as the official to whom the Department of Finance may make requests. (626) 308-2812 extension 4610; tmarston@sgch.org.

Section 5. Effective Date. Pursuant to Health and Safety Code Section 34169(i), the City’s action to adopt the EOPS as set forth herein shall not be effective for three (3) business days following adoption of this Resolution, pending a request for review of the Revised EOPS by the Department of Finance.

1 I, Nina Castruita, Deputy City Clerk of the City of San Gabriel, do hereby certify
2 that the foregoing resolution was adopted by the San Gabriel City Council at a regular
3 adjourned meeting held thereof on the 7th day of February, 2012, by the following vote,
4 to wit:

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Ayes: Costanzo, De La Torre, Gutierrez, Harrington, Sawkins
Noes: None
Abstain: None
Absent: None



Nina Castruita, CMC, Deputy City Clerk
City of San Gabriel, California


PASSED AND ADOPTED at an adjourned regular meeting of the City of San Gabriel on the 7th day of February, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:


David R. Gutierrez, Mayor

ATTEST:


Nina Castruita, Deputy City Clerk

APPROVED AS TO FORM:


Peter L. Wallin, Successor Agency Counsel

EXHIBIT A

REVISED ENFORCEABLE OBLIGATIONS PAYMENT SCHEDULE

REVISED ENFORCEABLE OBLIGATIONS PAYMENT SCHEDULE (February 7, 2012)

Per AB 26 - Section 34167 and 34169

Project Name / Debt Obligation	Description	Payee	Cost Category	Payment Source	Total Outstanding Debt or Obligation	Payments by Month (January 1 through June 30, 2012)						Total	
						Jan	Feb	Mar	Apr	May	Jun		
NON-OPERATING													
1) City Loan	City loan to the Agency including interest	City of San Gabriel	Debt Repayment	RDA Property Tax Fund	\$ 6,146,938	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,786,516	\$ 4,786,516
2) City-Agency Cooperation Agreement	Public improvements Projects	City of San Gabriel	Contractual Obligation	RDA Property Tax Fund	\$ 42,983,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3) City-Agency Cooperation Agreement	Affordable housing projects	City of San Gabriel -LA County Housing Authority	Contractual Obligation	LMHF	\$ 11,995,750	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4) City-Agency Cooperation Agreement	Public Works Facility	City of San Gabriel	Contractual Obligation	RDA Property Tax Fund	\$ 5,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Non-Operating													\$ 4,786,516
SUCCESSOR AGENCY OPERATING													
5) Administration	Full Time Employees	Robin Scherr (20% FTE)	Admin	RDA Property Tax Fund	\$ -	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 12,000
	Limited Service Employees to answer phones, scan and file documents, maintain contact with project team members, developers, preparing invoices, maintain and update website	Camille Paton & Peter Kormilio (50% FTE per person)	Admin	RDA Property Tax Fund	\$ -	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 3,600	\$ 21,600
	Health Insurance	R. Scherr	Admin	RDA Property Tax Fund	\$ -	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 1,800
	Retirement	R. Scherr	Admin	RDA Property Tax Fund	\$ -	\$ 550	\$ 550	\$ 550	\$ 550	\$ 550	\$ 550	\$ 550	\$ 3,300
	Multi-functional copier lease	Canon (PO 6645)	Admin	RDA Property Tax Fund	\$ -	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 310	\$ 1,860
6) 22-000 Contractual	Multi-functional copier maintenance agreement	Copy Free (PO 6646)	Admin	RDA Property Tax Fund	\$ -	\$ 449	\$ 449	\$ 449	\$ 449	\$ 449	\$ 449	\$ 449	\$ 2,694
	Fire, access, and security services for office facility	SDS (PO 6607)	Admin	RDA Property Tax Fund	\$ -	\$ 132	\$ 132	\$ 132	\$ 132	\$ 132	\$ 132	\$ 132	\$ 792
	HVAC Maintenance	Turbo Chilled Inc.	Admin	RDA Property Tax Fund	\$ -	\$ 180	\$ -	\$ -	\$ -	\$ 180	\$ -	\$ -	\$ 360

Project Name / I Obligation	Description	Payee	Cost Category	Payment Source	Total Outstr Debt or Oblig	Payments by Month						Total
						Jan	Feb	Mar	Apr	May	Jun	
7) Professional Services	Legal Services (General Counsel)	Wallin Kress Reisman Krantz	Admin	RDA Property Tax Fund		\$ 8,000	\$ 8,000	\$ 8,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 39,000
	Office equipment & supplies	Office Depot, Cobra, Amazon, & other vendors	Admin	RDA Property Tax Fund		\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 12,000
	Keys & Lock Services	Harold's Key	Admin	RDA Property Tax Fund		\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 25	\$ 150
8) 31-000 Office Operating	Office cleaning services	Daily Maintenance Service	Admin	RDA Property Tax Fund		\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 325	\$ 1,950
	Fire Life Safety Device for Office Entry	SDS Alarm Monitor	Admin	RDA Property Tax Fund		\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000
	Conference Room Circulation Fan and Sound Buffer	Onyx Architects	Admin	RDA Property Tax Fund		\$ -	\$ 950	\$ -	\$ -	\$ -	\$ -	\$ 950
9) 40-003 Electricity	Electrical utility costs	SoCal Edison	Admin	RDA Property Tax Fund		\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 250	\$ 1,500
10) 40-005 Telephone	Telephone, Fax, cellular, DSL, and Alarm Services	AT&T and Verizon Wireless	Admin	RDA Property Tax Fund		\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 175	\$ 1,050
11) 40-006 Water	Water utility costs	SG County Water District	Admin	RDA Property Tax Fund		\$ 46	\$ 46	\$ 46	\$ 46	\$ 46	\$ 46	\$ 276
12) 45-000 Educational	Redevelopment Dissolution Regional Conference	Community Redevelopment Association (CRA)	Admin	RDA Property Tax Fund		\$ -	\$ 1,250	\$ -	\$ -	\$ -	\$ -	\$ 1,250
13) 53-000 Membership and Dues	Membership	Community Redevelopment Association	Admin	RDA Property Tax Fund		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,960	\$ 1,960
14) 55-000 Lease Payments	Rent for 410 McGroarty St Office	City of San Gabriel	Admin	RDA Property Tax Fund	\$ 31,500	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 5,250	\$ 31,500
15) 64-007 Auditing Services	Annual financial audit	Caporricci & Larson	Admin	RDA Property Tax Fund / LMHF	\$ 9,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,000	\$ 9,000
Total Operating												\$ 145,992
OVERSIGHT BOARD												
	Meeting Agendas, Minutes, Public Notices, Mailings, File Management, and Logistics	Carmille Paton 20% FTE	Admin	RDA Property Tax Fund		\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 900	\$ 5,400
16) Administration	Published Public Notices	SGV Newspaper	Admin	RDA Property Tax Fund		\$ -	\$ -	\$ 1,200	\$ -	\$ -	\$ 1,200	\$ 2,400
	Other Direct Expenses	TBD	Admin	RDA Property Tax Fund		\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 6,000

Project Name / [Obligation	Description	Payee	Cost Category	Payment Source	Total Outstanding or Obligations	Payments by Month						Total		
						Jan	Feb	Mar	Apr	May	Jun			
Total Oversight Board						\$	\$	\$	\$	\$	\$	\$	13,800	
PROJECTS														
17) Agreement for the Provision of Affordable Housing between the Agency and CETT Investments	Project Management and Support	Staff (R. Scherr) and Legal Services	Project Delivery	LMHF	\$	\$	\$	\$	\$	\$	\$	\$	\$	7,500
	Housing Consulting Services	KMA	Project Delivery	LMHF	\$	\$	\$	\$	\$	\$	\$	\$	\$	1,200
	Financial assistance for the provision of affordable housing	CETT Investments Corporation	Project	LMHF	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
18) SGV Humane Society	Master Plan concept for upgraded facility	Onyx (PO 6676)	Project	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	1,517
	Design Analysis and Construction Compliance with Design Standards	Onyx (PO6654)	Project Delivery	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	10,463
19) Lucky Center Loan (Subsidy) for the construction of site improvements and facade/signage upgrades to attract new market operator that will make major tenant improvements	Project Management and Support	Staff (R. Scherr, C. Paton and P. Kornfoll) and Legal Services	Project Delivery	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	8,000
	Loan	Lucky Center LLP Loan	Project	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	400,000
	San Gabriel Promenade Grand Opening (Advertising, Translation, Mailing Labels, Postage, Equipment Rental, Promotional Items, and Theatre Company)	SGV News, Pasadena Magazine, Patch.com, Bravo, Mail House, USPS, Food Play, Partyline Events, Corporate Carrols	Project Delivery	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	5,000
20) Business Friendly Action Plan	Project Management and Support	Staff (R. Scherr and P. Kornfoll) and Legal Services	Project Delivery	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	5,000
	Stakeholder outreach and engagement expenses	Fresh Roast, Alexandra's Table, and Autotours	Project Delivery	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	2,923
	City Consultants / Attorneys	Onyx, KSA, David Evans and Assoc., RKA, Kress, Wallin, and Kranitz	Project Delivery	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	8,000
	Consultant Services	Bart Doyle (PO 6691)	Project	RDA Property Tax Fund	\$	\$	\$	\$	\$	\$	\$	\$	\$	25,473

Project Name / Dt. Obligation	Description	Payee	Cost Category	Payment Source	Total Outstanding Debt or Oblig.	Payments by Month						Total
						Jan	Feb	Mar	Apr	May	Jun	
21) Website Redesign and Development	Project Management and Support	Staff (R. Scherr, C. Paton, P. Kornfolio)	Project/Delivery	RDA Property Tax Fund	\$ -	\$ 2,500	\$ 1,200	\$ -	\$ -	\$ -	\$ -	\$ 3,700
	New design to increase website usage targeting visitors, businesses, and investors	CivicPlus (PO 6692)	Project	RDA Property Tax Fund	\$ 24,615	\$ -	\$ 12,307	\$ -	\$ -	\$ -	\$ -	\$ 24,615
22) O'Donnell Chevrolet-Buick Dealership	Image and branding upgrades to comply with new dealership standards	Onyx (PO 6469)	Project	RDA Property Tax Fund	\$ 1,185	\$ 1,185	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,185
	Design and Caltrans coordination	Hunt Design (PO 6395)	Project	RDA Property Tax Fund	\$ 2,200	\$ 500	\$ 1,700	\$ -	\$ -	\$ -	\$ -	\$ 2,200
23) Visual Identity and Wayfinding I-10 Gateway Monument Sign	Project Management	Staff (R. Scherr)	Project Delivery	LMHF	\$ -	\$ -	\$ 500	\$ 500	\$ -	\$ -	\$ -	\$ 1,000
	Coordinate City's participation in the LA County Homeless Count and prepare enhanced information and referral resource guide for vulnerable families and individuals	Camille Paton (PO 6633)	Project	LMHF	\$ 3,118.00	\$ -	\$ 1,200	\$ 1,918	\$ -	\$ -	\$ -	\$ 3,118
24) Homeless Count	Project Management and Support	Staff (R. Scherr, C. Paton, P. Kornfolio) and Legal Services	Project Delivery	RDA Property Tax Fund	\$ -	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	\$ -	\$ -	\$ 4,800
	Design and construction management for Pilot Area 2 on San Gabriel Blvd between Elm & Central Ave	KSA (PO 6444)	Project	RDA Property Tax Fund	\$ 114,070	\$ 42,000	\$ 35,000	\$ 30,830	\$ 6,240	\$ -	\$ -	\$ 114,070
25) San Gabriel Streetscape Improvement Project	Construction contract	Marina Landscape (PO 6755)	Project	RDA Property Tax Fund	\$ 610,967	\$ 487,000	\$ 123,967	\$ -	\$ -	\$ -	\$ -	\$ 610,967
	Completion Ceremony (Advertising, Translation Services, Printing, Community Outreach Mailing, Postage, and Refreshments)	Bravo, USPS, Hot Stuff Café	Project Delivery	RDA Property Tax Fund	\$ -	\$ -	\$ -	\$ 2,000	\$ -	\$ -	\$ -	\$ 2,000

Project Name / L Obligation	Description	Payee	Cost Category	Payment Source	Total Outstanding or Obligation	Payments by Month						Total
						Jan	Feb	Mar	Apr	May	Jun	
26) Las Tunas Rehab-San Gabriel to Muscatel	Design services to be completed by June 2012	RKA (PO 6485)	Project	RDA Property Tax Fund	\$ 50,280	\$ 3,804	\$ -	\$ 11,619	\$ 11,619	\$ 11,619	\$ 11,619	\$ 50,280
27) Las Tunas Street Light Retrofit	Construction management of replacement of existing street light system on Las Tunas (Completed as of Jan 2012)	RKA (PO 6326)	Project	RDA Property Tax Fund	\$ 23,474	\$ 23,474	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,474
28) Street Haul Route Street Rehab / San Gabriel Blvd. Streetscape Bridge Enhancements related to Trench	Reimbursement	ACE	Project	RDA Property Tax Fund	\$ 683,855	\$ -	\$ 100,000	\$ -	\$ -	\$ -	\$ -	\$ 100,000
29) San Gabriel Blvd. Gateway Corridor Improvements Project (Fairview to Grand)	Agency approved MTA grant application and committed local match on January 18, 2011. MTA awarded grant on Sept. 14, 2011.	MTA	Project	RDA Property Tax Fund	\$ 458,558	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
30) Workout related to New Century OPA/DDA	Project Management and Legal Services	Staff (R. Scherr) and Wallin	Project Delivery	RDA Property Tax Fund	\$ -	\$ -	\$ 1,200	\$ 3,000	\$ 1,500	\$ 500	\$ -	\$ 7,400
	Sale of 1266-88 E. Las Tunas Dr.	Real Estate Services	Project	RDA Property Tax Fund	\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ 25,000
	Fence rental	National Construction Rentals (PO6599) & Emergency Repairs	Project	RDA Property Tax Fund	\$ -	\$ 854	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 854
	Airstream Dealership Grand Opening	Community outreach, postage, posters, advertising, promotional items, refreshments	Project Delivery	RDA Property Tax Fund	\$ -	\$ -	\$ -	\$ 3,200	\$ 1,200	\$ -	\$ -	\$ 4,400
Total Projects												\$ 1,454,139
GRAND TOTAL												\$ 6,400,447