

**RESOLUTION OB NO. 2012-08**

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF INDIAN WELLS, CALIFORNIA, APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE TIME PERIOD FROM JANUARY 1, 2013 THROUGH JUNE 30, 2013, PURSUANT TO HEALTH AND SAFETY CODE SECTIONS 34177(I) AND 34180(g)**

**WHEREAS**, pursuant to Health and Safety Code section 34173(d), the City of Indian Wells ("Successor Agency") is the successor agency to the Indian Wells Redevelopment Agency ("Agency"), confirmed by City Council Resolution No. 2012-03 adopted on January 12, 2012; and

**WHEREAS**, pursuant to Health and Safety Code section 34179(a), the Oversight Board is the Successor Agency's oversight board; and

**WHEREAS**, Health and Safety Code section 34177(l)(2) requires the Successor Agency to prepare a draft of a "recognized obligation payment schedule" ("ROPS") listing outstanding obligations of the Agency to be performed by the Successor Agency during the time period from January 1, 2013 through June 30, 2013; and

**WHEREAS**, Health and Safety Code section 34177(l)(2) requires the Successor Agency to submit the draft of the ROPS to the County of Riverside Auditor-Controller, the County administrative officer, and the Department of Finance concurrently with its submission to the Oversight Board; and

**WHEREAS**, Health and Safety Code section 34177(l)(2) requires the Successor Agency to submit the ROPS to the Oversight Board for approval and, upon such approval, the Successor Agency is required to submit a copy of such approved ROPS to the County of Riverside Auditor-Controller, the California State Controller, and the State of California Department of Finance and post the approved ROPS on the Successor Agency's website prior to September 1, 2012; and

**WHEREAS**, Health and Safety Code section 34180(g) requires the Oversight Board to approve the Successor Agency's establishment of the ROPS prior to the Successor Agency acting upon the ROPS.

**NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE INDIAN WELLS REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**SECTION 2. CEQA Compliance.** The approval of the ROPS through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The City Clerk of the City of Indian Wells, acting on behalf of the Oversight Board, is authorized and directed to file a Notice of Exemption with the

appropriate official of the County of Riverside, California, within five (5) days following the date of adoption of this Resolution.

**SECTION 3. Approval of the ROPS.** The Oversight Board hereby approves and adopts the ROPS, in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code sections 34177 and 34180.

**SECTION 4. Implementation.** The Oversight Board hereby directs the Successor Agency to submit copies of the ROPS approved by the Oversight Board to the County of Riverside Auditor-Controller, the State of California Controller and the State of California Department of Finance prior to September 1, 2012, and to post the ROPS on the Successor Agency's website.

**SECTION 5. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

**SECTION 6. Certification.** The City Clerk of the City of Indian Wells, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

**SECTION 7. Effective Date.** Pursuant to Health and Safety Code section 34179(h), written notice and information about all actions taken by the Oversight Board must be provided to the State of California Department of Finance, and, therefore, this Resolution shall not be effective until five (5) business days after notice has been provided to the State of California Department of Finance, pending a request for review by the State of California Department of Finance.

**PASSED, APPROVED AND ADOPTED** by the Oversight Board of the Successor Agency to the Indian Wells Redevelopment Agency, at a special meeting held on this 24<sup>th</sup> day of July, 2012.

  
**DOUGLAS H. HANSON**  
**CHAIRMAN**

**CERTIFICATION FOR RESOLUTION OB NO. 2012-08**

I, Anna Grandys, Secretary of the Oversight Board of the Successor Agency to the Indian Wells Redevelopment Agency, **DO HEREBY CERTIFY** that the whole number of the members of the Oversight Board of the Successor Agency to the Indian Wells Redevelopment Agency is seven (7); that the above and foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the Oversight Board of the Successor Agency to the Indian Wells Redevelopment Agency on the 24<sup>th</sup> day of July, 2012, by the following vote:

AYES: Aguilar, Hanson, Powell, Reyes, Wood

NOES: Renew

ABSENT: Fredericks

**ATTEST:**

  
\_\_\_\_\_  
**ANNA GRANDYS**  
**SECRETARY**

**EXHIBIT "A"**

Name of Successor Agency: The City of Indian Wells  
 Project Area(s): Wastewater Project Area  
 Time Period: January 1, 2013 through June 30, 2013  
 Date: Thursday, July 19, 2012

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE**  
 Per AB 26 - Section 34167 and 34169 (\*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt (Principal & Interest) or Obligation	Total Due During Fiscal Year	Funding Source	Year that Funding Requirement Expires	Year that Funding Requirement Expires					
							January	February	March			
1 2003 A Tax Allocation Bonds	Union Bank of California	Bonds issue to fund non-housing projects	\$ 10,895,250	\$ 986,650	RP/TF	2025		200,825.00				
2 2003 A-T Tax Allocation Bonds	Union Bank of California	Bonds issue to fund non-housing projects	\$ 41,134,316	\$ 3,785,739	RP/TF	2025		800,095.50				
3 2005 Refunding Tax Allocation Bonds	Union Bank of California	Bonds issue to fund non-housing projects	\$ 13,099,327	\$ 1,185,578	RP/TF	2035		200,299.50				
4 2006 A Tax Allocation Bonds	Union Bank of California	Bonds issue to fund non-housing projects	\$ 107,933,509	\$ 3,580,389	RP/TF	2035		1,385,184.50				
5 2010 A Tax Allocation Bonds	Union Bank of California	Bonds issue to fund non-housing projects	\$ 17,598,764	\$ 769,948	RP/TF	2035		239,874.00				
6 SEARF Housing Refunding	Agency's Housing Fund	Loan to Agency for SEARF Payment(s)	\$ 11,514,773	\$ -	RP/TF	2016						
7 Administrative Costs	Successor Agency	Administrative Costs	\$ 9,032,232	\$ 418,975	RP/TF	2025	\$ 34,915	\$ 34,915	\$ 34,915			
8 2003 A Tax Allocation Bonds	Union Bank of California	Bond Payment Reserve for August 2013 Payment	\$ 620,000	\$ 620,000	RP/TF	2025						
9 2003 A-T Tax Allocation Bonds	Union Bank of California	Bond Payment Reserve for August 2013 Payment	\$ 2,165,000	\$ 1,082,500	RP/TF	2025						
10 2005 Refunding Tax Allocation Bonds	Union Bank of California	Bond Payment Reserve for August 2013 Payment	\$ 820,000	\$ 820,000	RP/TF	2035						
11 2006 A Tax Allocation Bonds	Union Bank of California	Bond Payment Reserve for August 2013 Payment	\$ 845,000	\$ 845,000	RP/TF	2035						
12 2010 A Tax Allocation Bonds	Union Bank of California	Bond Payment Reserve for August 2013 Payment	\$ 290,000	\$ 290,000	RP/TF	2035						
13												
14												
15												
<b>Totals - This Page</b>								\$ 34,915	\$ 2,881,265	\$ 34,915		
<b>Totals - Other Obligations</b>								\$ 215,947,171	\$ 14,384,814			
<b>Grand Total - All Pages</b>								\$ 215,947,171	\$ 14,384,814	\$ 34,915	\$ 2,881,265	\$ 34,915