

RESOLUTION NO. 1493

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM SPRINGS, CALIFORNIA, AUTHORIZING THE APPROVAL AND TRANSMITTAL OF AN ENFORCEABLE OBLIGATIONS PAYMENT SCHEDULE (EOPS) PURSUANT TO ABX1 26 AND ABX1 27.

WHEREAS, the Agency Board of the Palm Springs Community Redevelopment Agency ("Agency") approved and adopted the Amended and Restated Redevelopment Plans for the Merged Project Areas No. 1 and No. 2 ("Redevelopment Plan") covering properties within the Agency (the "Project Areas"); and

WHEREAS, the Agency is 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"); and

WHEREAS, since the dates of 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; and

WHEREAS, over the next few years, the Agency hopes to implement a variety of redevelopment projects and programs to continue to eliminate and prevent blight, stimulate and expand the Project Area's economic growth, create and develop local job opportunities, and alleviate deficiencies in public infrastructure, to name a few; and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature has recently enacted and the Governor has signed, companion bills ABX1 26 and ABX1 27, requiring that each redevelopment agency be dissolved unless the community that created it enacts a resolution committing it to making certain payments; and

WHEREAS, specifically, ABX1 26 prohibits agencies from taking numerous actions, effective immediately and purportedly retroactively, and additionally provides that agencies are deemed to be dissolved as of October 1, 2011; and

WHEREAS, additionally, ABX1 26 which eliminates redevelopment agencies also requires all Agencies to wind-down their affairs unless the Agencies are extended through compliance with the requirements of ABX1 27; and

WHEREAS, as part of this wind-down process, all redevelopment agencies are required to file a schedule of "enforceable obligations" that require payments to be made through the end of the calendar year 2011; and

WHEREAS, under the threat of dissolution pursuant to ABX1 26, and based upon the contingencies and reservations set forth herein, the Agency establishes the foregoing Enforceable Obligation Payment Schedule (the "Schedule") to be able to continue redevelopment activities that were begun prior to the effective date of ABx1 26; and

WHEREAS, the Agency reserves the right to appeal any determination of the California Director of Finance or other entity regarding the propriety of this resolution as well as any future determinations; and

WHEREAS, the Agency is aware that an action challenging the constitutionality of ABX1 26 and ABX1 27 has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the Agency currently intends to comply with the state-mandated obligations established hereunder, they shall all be made under protest and without prejudice to the Agency's right to recover such amounts and interest thereon, to the extent there is a final determination that ABX1 26 and ABX1 27 are unconstitutional or otherwise infirm, including state-mandated costs for complying with the establishment of the Schedule and any amendments thereto; and

WHEREAS, the Agency reserves the right, regardless of any actions taken pursuant to this resolution, to challenge the legality of ABX1 26 and ABX1 27 and seek reimbursement for compliance costs of this state-mandated program; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or invalidates the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of ABX1 26 and ABX1 27, the Agency shall not be obligated to this Schedule or comply with the terms and conditions of ABX1 26 and ABX1 27 and this resolution shall not be construed as any waiver or disclaimer of its rights with respect to such injunction, restraint or stay; and

WHEREAS, all other legal prerequisites to the adoption of this resolution have occurred.

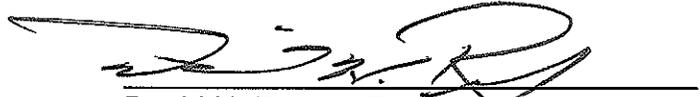
NOW, THEREFORE, BE IT RESOLVED that the Agency Board of the Palm Springs Community Redevelopment Agency does resolve as follows:

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

SECTION 2. The Enforceable Obligation Payment Schedule, attached hereto and incorporated herein by reference as "Exhibit A", is hereby adopted, subject to all reservations of rights and contingencies set forth above.

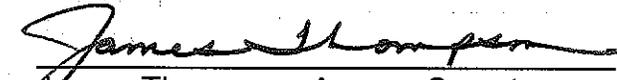
SECTION 3. The Executive Director or designee is authorized to take all actions necessary to implement this Resolution, including without limitation, the posting of this Resolution and the Enforceable Obligation Payment Schedule on the Agency's website, and the provision of notice of adoption of this Resolution and such Schedule to County auditor-controller, the State Controller and the State Department of Finance.

PASSED, APPROVED, AND ADOPTED at a special meeting of the Community Redevelopment Agency of the City of Palm Springs, California, on this 25th day of August, 2011.



David H. Ready, Executive Director

ATTEST:



James Thompson, Agency Secretary

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, Secretary of the Community Redevelopment Agency of the City of Palm Springs, California, hereby certify that Resolution No. 1493 was adopted by the Agency at a special meeting held on the 25th of August, 2011, and that the same was adopted by the following vote:

AYES: Board Member Foat, Board Member Mills, and Chair Pougnet.
NOES: None.
ABSENT: Board Member Hutcheson and Vice Chair Weigel.
ABSTAIN: None.



James Thompson, Agency Secretary
Community Redevelopment Agency
City of Palm Springs, California *08/25/2011*

Name of Redevelopment Agency:

Community Redevelopment Agency of the City of Palm Springs

Project Area(s)

Merged Project No. 1 and Merged Project No. 2

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					Total
					Aug**	Sept	Oct	Nov	Dec	
1) 2001 Housing Tax Allocation Bonds	Bank of New York Mellon Trust	Refinance 1991 Housing Tax Allocation Bonds	5,030,290	461,593	368,834					368,834
2) 2004 Tax Allocation Refunding Bonds, Series A	Bank of New York Mellon Trust	Refinance 1994 Tax Allocation Bonds	24,470,886	1,200,053	824,564					824,564
3) 2004 Tax Allocation Refunding Bonds, Series B	Bank of New York Mellon Trust	Refinance 1994 Tax Allocation Bonds	14,453,293	607,006	390,628					390,628
4) 2007 Tax Allocation Bonds, Series A	Bank of New York Mellon Trust	Capital Projects	23,960,388	619,225	309,613					309,613
5) 2007 Taxable Tax Allocation Bonds, Series B	Bank of New York Mellon Trust	Property Acquisition	3,854,458	117,294	58,647					58,647
6) 2007 Taxable Tax Allocation Bonds, Series C	Bank of New York Mellon Trust	Property Acquisition	12,407,609	521,833	325,164					325,164
7) SB 211 Payment - Riverside County	Riverside County	Tax Sharing Pursuant to Section 33607.7	744,027	27,708			4,687			4,687
8) SB 211 Payment - City of Palm Springs	City of Palm Springs	Tax Sharing Pursuant to Section 33607.7	14,573,504	347,285			27,615			27,615
9) SB 211 Payment - Palm Springs Unified School District	Palm Springs Unified School District	Tax Sharing Pursuant to Section 33607.7	10,018,661	234,244			26,298			26,298
10) SB 211 Payment - College of the Desert	College of the Desert	Tax Sharing Pursuant to Section 33607.7	2,859,455	66,666			7,312			7,312
11) SB 211 Payment - County Office of Education	County Office of Education	Tax Sharing Pursuant to Section 33607.7	1,555,795	36,375			4,083			4,083
12) SB 211 Payment - Riverside County Regional Park	Riverside County Regional Park	Tax Sharing Pursuant to Section 33607.7	315,184	5,083			390			390
13) SB 211 Payment - Riverside County Flood Control	Riverside County Flood Control	Tax Sharing Pursuant to Section 33607.7	310,392	8,465			217			217
14) SB 211 Payment - Cemetary District	Cemetary District	Tax Sharing Pursuant to Section 33607.7	45,006	716			(109)			(109)
15) SB 211 Payment - Hospital District	Hospital District	Tax Sharing Pursuant to Section 33607.7	1,477,716	23,905			1,902			1,902
16) SB 211 Payment - Mosquito Abatement District	Mosquito Abatement District	Tax Sharing Pursuant to Section 33607.7	36,167	1,347			228			228
17) SB 211 Payment - Resource Conservation District	Resource Conservation District	Tax Sharing Pursuant to Section 33607.7	4,574	102			13			13
18) SB 211 Payment - Coachella Valley Water District	Coachella Valley Water District	Tax Sharing Pursuant to Section 33607.7	768	9			1			1
19) SB 211 Payment - CVWD Storm Water District	CVWD Storm Water District	Tax Sharing Pursuant to Section 33607.7	973	11			1			1
20) Contractual - Riverside County	Riverside County	Tax Sharing Pursuant to Section 33401	133,114,557	3,363,044			0			0
21) Contractual - Riverside County (Deferral)	Riverside County	Tax Sharing Pursuant to Section 33401 (Deferral Repayment)	3,715,988	1,061,711			530,855			530,855
22) Contractual - Palm Springs Unified School District	Palm Springs Unified School District	Tax Sharing Pursuant to Section 33401	52,272,210	2,584,815			1,292,408			1,292,408
23) Contractual - College of the Desert	College of the Desert	Tax Sharing Pursuant to Section 33401	11,281,449	560,809			280,404			280,404
24) Contractual - County Office of Education	County Office of Education	Tax Sharing Pursuant to Section 33401	6,133,086	306,710			153,355			153,355
25) Contractual - Riverside County Flood Control	Riverside County Flood Control	Tax Sharing Pursuant to Section 33401	18,218,160	512,316			0			0
26) Contractual - Cemetary District	Cemetary District	Tax Sharing Pursuant to Section 33401	628,989	30,404			15,202			15,202
27) Contractual - Mosquito Abatement District	Mosquito Abatement District	Tax Sharing Pursuant to Section 33401	6,370,571	311,883			155,942			155,942
28) Contractual - Coachella Valley Water District	Desert Water Agency	Tax Sharing Pursuant to Section 33401	8,984	547			274			274
29) Contractual - Desert Water Agency	Desert Water Agency	Tax Sharing Pursuant to Section 33402	2,080,354	115,707			57,854			57,854
30) Contractual - Desert Water Agency DS Override	Desert Water Agency	Tax Sharing Pursuant to Section 33402	17,226,000	1,044,000			522,000			522,000
Totals - This Page			367,169,494	14,170,866	2,799,450	2,558,932	0	0	0	5,358,382
Totals - Page 2			84,667,671	7,311,615	71,000	280,906	1,051,744	168,294	136,500	1,708,444
Totals - Page 3			130,121,000	4,781,200	55,000	204,000	55,000	55,000	55,000	424,000
Grand total - All Pages			581,958,165	26,263,681	2,925,450	3,043,838	1,106,744	223,294	191,500	7,490,826

* This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.)
 If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.
 ** Include only payments to be made after the adoption of the EOPS.

Name of Redevelopment Agency:

Community Redevelopment Agency of the City of Palm Springs

Project Area(s)

Merged Project No. 1 and Merged Project No. 2

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

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
					Aug**	Sept	Oct	Nov	Dec	Total
1) SERAF Loans	Low Mod Housing Fund	Loans for FY 2009/10 and 2010/11 SERAF Payments	5,069,848	0						0
2) City Loan and Interest	City of Palm Springs	Operating and Administrative Costs	1,649,000	1,649,000						0
3) Agreement for Reimbursement	City of Palm Springs	PSL - 236 Lease	2,860,000	110,000			110,000			110,000
4) Agreement for Reimbursement	City of Palm Springs Sustainability Fund	Partial Prepayment of PSL 236 Lease	1,516,590	101,106						0
5) Loan	Low Mod Housing Fund	Loan to Merged Project No. 1	148,632	74,316						0
6) Housing Deferral Repayment	Low Mod Housing Fund	Pre-1986 Set Aside Deferral	1,532,669	0						0
7) 2004 Convention Center Bonds	City of Palm Springs	Agency Contribution to Convention Center Expansion	36,800,000	1,600,000			800,000			800,000
8) Agreement for Reimbursement	City of Palm Springs Wastewater Fund		1,120,380	73,620						0
9) Cooperative Agreement	City of Palm Springs	Salaries and Benefits	20,705,000	613,460	26,000	52,000	52,000	52,000	75,000	257,000
10) Cooperative Agreement	City of Palm Springs	Insurance	335,000	11,736					2,934	2,934
11) Cooperative Agreement	City of Palm Springs	Administrative Charges	2,195,000	292,241					73,060	73,060
12) Cooperative Agreement	City of Palm Springs	Materials and Supplies	1,080,000	35,069		3,000	3,000	3,000	3,000	12,000
13) Cooperative Agreement	City of Palm Springs	Building Rental	436,000	16,000					16,000	16,000
14) Contract Services - Audit	Lance Soll & Lungard	Audit Services	518,000	11,000		5,000			6,000	11,000
15) Contract Services - Legal	Woodruff Spradlin	General Legal Counsel	1,817,000	57,700		5,000	5,000	5,000	5,000	20,000
16) Contract Services - Legal	Best Best & Kreiger	Redevelopment Special Counsel	5,000	5,000		1,000	1,000			2,000
17) Contract Services - Consulting	Terra Nova Consulting	Consulting Services	4,500	4,500		4,500				4,500
18) Contract Services - Consulting	Canyon Commercial Consulting	Downtown Consulting	108,000	108,000		10,800	10,800	10,800	10,800	43,200
19) Contract Services - Consulting	Keyser Marston	Financial Analysis Services	8,360	8,360		8,360				8,360
20) Contract Services - Financial	Harrell & Company Advisors	Bond Disclosure and Financial Analysis	20,000	20,000				5,000		5,000
21) Property Tax	County of Riverside	Property Tax on Acquired Property	8,400	8,400					4,200	4,200
22) Contract Services - Other	Various	Various Consulting Services	4,296,000	229,815		15,000	15,000	15,000	15,000	60,000
23) 2011 Open PO - Animal Shelter	Allen F Smoot & Associates	Animal Shelter Construction	32,856	32,856		32,856				32,856
24) 2011 Open PO - Animal Shelter	Swat/Meirs Architects	Animal Shelter Construction	21,966	21,966		21,966				21,966
25) 2011 Open PO - Animal Shelter	Planit Reprographics	Animal Shelter Construction	906	906		906				906
26) 2011 Open PO - Animal Shelter	Ingersoll Rand Security	Animal Shelter Construction	26,015	26,015		26,015				26,015
27) 2011 Open PO - Animal Shelter	West Test Communications	Animal Shelter Phone System	9,027	9,027		9,027				9,027
28) 2011 Open PO - Animal Shelter	Moore Iacofano Goltsman	Animal Shelter Construction	2,065	2,065		2,065				2,065
29) 2011 Open PO - Animal Shelter	Schroer Mfg Co	Animal Shelter Kennels and Intake Cages	17,984	17,984		17,984				17,984
30) 2011 Open PO - Animal Shelter	Lake State Industries	Animal Shelter Cages	4,469	4,469		4,469				4,469
31) 2011 Open PO - Construction	Rick Engineering	S Palm Canyon Widening	5,198	5,198		5,198				5,198
32) 2011 Open PO - Audit	Lance Soll & Lungard	Audit Services	1,530	1,530		1,530				1,530
33) 2011 Open PO - Financial	Harrell & Company Advisors	Bond Disclosure and Financial Analysis	6,657	6,657		6,657				6,657
34) Grounds Maintenance	Various	Operation of Acquired Property	160,000	8,000		1,500	1,500	1,500	1,500	6,000
35) Continuing Appropriations	Various	Animal Shelter Construction (Bond Proceeds)	91,073	91,073	45,000	46,073				91,073
36) Continuing Appropriations	Various	COD Master Plan	101,449	101,449			50,000			50,000
37) Continuing Appropriations	Various	Desert Fashion Plaza Vision	3,444	3,444			3,444			3,444
38) Continuing Appropriations	Various	Capital Projects	765,557	765,557						0
39) Housing Projects and Programs	To Be Determined	Restricted Sale Proceeds to be used for Low Mod	162,630	162,630						0
40) Capital Projects	Various	Bond Funded Capital Projects (2007 Bond Proceeds)	1,021,466	1,021,466						0
Totals - This Page			\$ 84,667,671.00	\$ 7,311,615.00	\$ 71,000.00	\$ 280,906.00	\$ 1,051,744.00	\$ 168,294.00	\$ 136,500.00	\$ 1,708,444.00

Name of Redevelopment Agency:
Project Area(s)

Community Redevelopment Agency of the City of Palm Springs
Merged Project No. 1 and Merged Project No. 2

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					Total
						Aug**	Sept	Oct	Nov	Dec	
1)	Property Tax Collection Fees	County of Riverside	SB 2557 Fees	8,211,000	243,000						0
2)	Bond Trustee Fees	Bank of New York Mellon Trust	Trustee Fees	259,600	9,000		9,000				9,000
3)	Disposition and Development Agreement	Endure Investments	Financial Assistance	554,000	277,000						0
4)	Disposition and Development Agreement	Endure Investments	Financial Assistance	1,400,000	140,000		140,000				140,000
5)	Owner Participation Agreement	VIP Motors	Financial Assistance	900,000	150,000						0
6)	Lease/Sublease Agreement	VIP Motors	Property Lease	3,960,000	660,000	55,000	55,000	55,000	55,000	55,000	275,000
7)	20% Housing Set Aside	Low Mod Housing Fund	Housing Projects and Programs	109,476,400	3,242,200						0
8)	Flood Control Trust Fund	Various	Flood Control Tax Sharing Agency Account	1,800,000	0						0
9)	Nightengale Manor Improvements	Low Mod Housing Fund	Low Mod Housing Project	60,000	60,000						0
10)	Housing Projects and Programs	Low Mod Housing Fund	Fund Balance Designated for Housing Projects	3,500,000	0						0
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Totals - This Page				\$ 130,121,000.00	\$ 4,781,200.00	\$ 55,000.00	\$ 204,000.00	\$ 55,000.00	\$ 55,000.00	\$ 55,000.00	\$ 424,000.00