

RESOLUTION NO. R185-2012

RESOLUTION OF THE FORT BRAGG REDEVELOPMENT AGENCY ADOPTING AMENDMENTS TO THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (EOPS) ADOPTED PURSUANT TO HEALTH AND SAFETY CODE SECTION 34169(g)

WHEREAS, the Redevelopment Agency of the City of Fort Bragg (“Agency”) is a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law, Health and Safety Code Section 33000 et seq. (the “CRL”); and

WHEREAS, pursuant to Health and Safety Code Section 34169(g), the Agency is required to adopt an Enforceable Obligation Payment Schedule (“EOPS”) that lists all of the obligations that are “enforceable obligations” within the meaning of Health and Safety Code Section 34167(d), and which includes the following information about each such obligation:

- (a) The project name associated with the obligation.
- (b) The payee.
- (c) A short description of the nature of the work, product, service, facility, or other thing of value for which payment is to be made.
- (d) The amount of payments obligated to be made each month; and

WHEREAS, the Agency is required to post the EOPS on the Agency’s website and to transmit a copy to the County Auditor-Controller, the State Controller and the State Department of Finance; and

WHEREAS, an EOPS was approved by Agency Resolution No. R182-2011 adopted August 22, 2011, and the EOPS was transmitted to all required parties and posted on the Agency’s website; and

WHEREAS, Health and Safety Code Section 34169(g)(2) provides that the EOPS may be amended at a public meeting of the Agency, and that such amendments must be posted on the Agency’s website and transmitted to the County Auditor-Controller, the State Controller and the State Department of Finance; and

WHEREAS, the previously-adopted EOPS covers the period ending December 31, 2011, and the Agency desires to adopt amendments to the EOPS as described in the attached Exhibit A so that the EOPS may remain effective until a Recognized Payment Obligation Schedule (ROPS) is reviewed, certified and approved pursuant to Health and Safety Code Section 34177(l)(2);

WHEREAS, the Agency reserves the right to further amend the EOPS; and

WHEREAS, in adopting the amended EOPS, the Agency does not intend to waive, nor shall the Agency be deemed to have waived any rights the Agency or its successor may have pursuant to or in connection with any obligation listed on the EOPS, including without limitation, the right to modify, amend, terminate or challenge any obligation listed on such Schedule; and

WHEREAS, the Agency, by adoption of this Resolution and the undertaking of the actions described herein, does not waive, nor shall the Agency be deemed to have waived, any rights

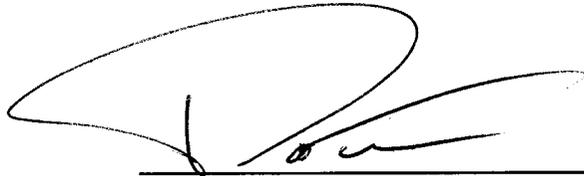
the Agency or its successor may have to challenge the legality or enforceability of any actions taken by any party pursuant to Assembly Bill x1 26 or any provision thereof.

NOW, THEREFORE, BE IT RESOLVED that the Agency Board of the Fort Bragg Redevelopment Agency does hereby:

1. Declare that the Recitals set forth above are true and correct, and are incorporated herein by reference.
2. Adopt the amended Enforceable Obligation Payment Schedule attached hereto as Exhibit A, subject to all reservations of rights and contingencies set forth above.
3. Authorize the Agency Executive Director or designee to take all actions necessary to implement this Resolution, including without limitation, the posting of this Resolution, and the amended EOPS on the Agency's website, and the provision of notice of adoption of this Resolution and EOPS to the County Auditor-Controller, the State Controller and the State Department of Finance.
4. Authorize the Agency Executive Director and the Agency Finance Director, and their designees, to take such actions as necessary and appropriate to carry out and implement the intent of this Resolution.

The above and foregoing Resolution was introduced by Agency Member Hammerstrom, seconded by Agency Member Gjerde, and passed and adopted at a regular meeting of the Agency Board of the Fort Bragg Redevelopment Agency held on the 23rd day of January, 2012, by the following vote:

AYES: Agency Members Courtney, Gjerde, Hammerstrom, and Chair Turner.
NOES: None.
ABSENT: None.
ABSTAIN: None.



DAVE TURNER,
Chair

ATTEST:

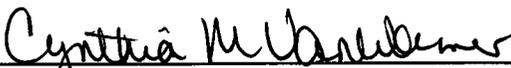

Cynthia M. VanWormer, CMC
Agency Secretary



EXHIBIT "A"

**City of Fort Bragg Redevelopment Agency
Enforceable Obligation Payment Schedule
Per AB 26 - Section 34167 and 34169**

Payee	Description	Balance as of July 1, 2011	Total Due During FY 11-12	Payments Thru Dec	Payments by Month through June 30, 2012						Total	
					Jan	Feb	Mar	Apr	May	June		
Bonds												
Trustee-US Bank	2004 Tax Allocation Bonds	\$ 4,255,000	\$ 311,895	\$ 114,221				\$ 197,674				\$ 197,674
Agency Expenses												
City of Fort Bragg	Administrative Overhead		119,281	59,641			29,820				29,820	59,640
Moss, Levy & Hartzheim	FY 2010-11 Audit		7,016	6,774								242
Agency Counsel	Legal Expenses		47,000	7,704		5,000	5,000	5,000			5,000	30,000
EDFC; CRA	Memberships & Dues		12,000	4,700		2,000						2,000
City of Fort Bragg	Employee Costs		347,737	173,869			86,934				86,934	173,868
Lohr Associates	Project Tech Support for Noyo Center		2,757	-		2,757						2,757
Parents & Friends, Inc.	Cypress Street P&F Feasibility Study		25,000	-		3,800	3,163	1,000			3,800	14,926
Fugro West	Mill Site Environmental Consulting		152,000	52,000		10,000	10,000	10,000			10,000	60,000
Mendocino County	Administrative Fees		20,000	-		20,000						20,000
Calif. State Coastal Conserv	Loan for Noyo Center Acquisition	288,000	20,000			5,000					5,000	10,000
Department of Toxic Substan	Environmental Oversight		100,000	44,455								50,000
City of Fort Bragg	Mill Site Specific Plan	19,455	110,320	55,160			27,580	25,000			27,580	55,160
Fort Bragg Redevelopment A	FY 2010 SERAF Loan	425,572	21,283	10,642			5,321				5,321	10,642
Fort Bragg Redevelopment A	FY 2011 SERAF Loan	106,416										
Pass Through Payments												
County of Mendocino	Section 33676 Payments*		203,878	112,133				91,745				91,745
City of Fort Bragg	Section 33676 Payments*		42,044	23,124				18,920				18,920
Fort Bragg Unified School Di	Section 33676 Payments*		218,125	119,969				98,156				98,156
College of the Redwoods	Section 33676 Payments*		39,705	21,838				17,867				17,867
Mendocino County Office of	Section 33676 Payments*		26,750	14,713				12,037				12,037
Noyo Lighting District	Section 33676 Payments*		2,112	1,162				950				950
MCFC & WCID Water Agenc	Section 33676 Payments*		855	470				385				385
Noyo Harbor District	Section 33676 Payments*		3,010	1,656				1,354				1,354
County of Mendocino	Section 33401 Payments*		369,975	203,486				166,489				166,489
Mendocino Coast Park & Rec	Section 33401 Payments*		18,181					18,181				18,181
Fort Bragg Rural Fire District	Section 33401 Payments*		6,811					6,811				6,811
Totals		\$ 5,094,443	\$ 2,227,736	\$ 1,027,717	\$ 40,000	\$ 43,799	\$ 172,818	\$ 673,733	\$ 16,000	\$ 173,455	\$ 1,119,804	