

**RDA RESOLUTION NO. 12-01**

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF MILLBRAE  
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 Millbrae (“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 transmit a copy to the County Auditor-Controller, the State Controller and the State Department of Finance; 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); and

WHEREAS, the Agency reserves the right to further amend the Enforceable Obligation Payment Schedule and the initial Recognized Obligation Payment Schedule; 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 such Schedules, including without limitation, the right to modify, amend, terminate or challenge any obligation listed on such Schedules; 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, the Redevelopment Agency of the City of Millbrae does hereby resolve as follows:

1. The Recitals set forth above are true and correct, and are incorporated herein by reference.
2. The amended Enforceable Obligation Payment Schedule (EOPS) attached is hereby adopted, subject to all reservations of rights and contingencies set forth above.
3. The Agency Executive Director or designee is authorized to take all actions necessary to implement this Resolution, including without limitation, the posting of this Resolution, the amended EOPS on the Agency's website, and the provision of notice of adoption of this Resolution and such Schedules to the County Auditor-Controller, the State Controller and the State Department of Finance.
4. Authorizes 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

**REGULARLY PASSED AND ADOPTED this 24<sup>th</sup> day of January, 2012.**

  
\_\_\_\_\_  
AGENCY DIRECTOR

ATTEST:

  
\_\_\_\_\_  
AGENCY SECRETARY

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 24<sup>th</sup> day of January 2012, by the following vote:

AYES:	AGENCY MEMBERS:	Colapietro, Papan, Holoher, Lee, and Gottschalk
NOES:	AGENCY MEMBERS:	None
ABSENT:	AGENCY MEMBERS:	None
ABSTAIN:	AGENCY MEMBERS:	None
EXCUSED:	AGENCY MEMBERS:	None

  
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AGENCY SECRETARY

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

Project Name / Debt Obligation	Payee	FY 2011-2012 Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by Month						TOTAL
					Jan	Feb	March	April	May	June	
1) 20% Housing Obligation	20% Housing Fund Redevelopment Agency	20% Required Housing Obligation		1,070,652				535,326			535,326
2) 2005 Tax Allocation Bonds - Principal	Wells Fargo Bank	Principal Payment for bonds issued to fund non-housing projects	7,985,000	185,000							0
3) 2005 Tax Allocation Bonds - Interest	Wells Fargo Bank	Interest Payment for bonds issued to fund non-housing projects	5,374,936	346,575		171,900					171,900
4) Bond Administrative Fees	Wells Fargo Bank	Administration for processing payments to bond holders	48,000	2,000							0
5) Tax Administration Fee	County of San Mateo	County administrative fee to collect property tax		31,937				15,969			15,969
6) Audit Services	Maze and Associates	Redevelopment Audit Services		18,000						9,000	9,000
7) Administrative Costs for RDA finance related work (#2-6, 9, 13)	City of Millbrae	City administration	3,483,200	44,850	3,737	3,737	3,737	3,737	3,737	3,737	22,422
8) Legal Services	Hanson Bridgett Meyers Nave	Redevelopment Agency legal services		90,000	25,000	15,000	7,500	4,722	4,722	4,722	61,666
9) Redevelopment Agency Start-Up Loan	City of Millbrae	Annual interest payment to City for loan / Principle to be paid June 2012	1,690,100	101,406						1,791,506	1,791,506
10) Dolores Lia Housing Complex	Pacific West Communities	Loan for Affordable Housing Project	5,700,000	1,514,762							0
11) Belamor Development Affordable Housing Obligation	Affordable Housing Developer/Provider	Develop or subsidize 13 BMR Units	1,699,000								0
12) Field License Agreement	Millbrae School District	Annual License for use of fields	2,160,000	180,000							0
13) 2004 Pension Obligation Bonds	Wells Fargo Bank	2004 Pension Obligation Bonds	771,029	35,047						35,047	35,047
14) Retiree Health Obligation (OPEB)	CalPERS	Retiree Health Benefits (OPEB)		24,765						24,765	24,765
Employee Costs-Payroll & Benefits (Housing Projects)	City of Millbrae	Employee housing project costs	3,555,215	61,459	10,243	10,243	10,243	10,243	10,243	10,243	61,458
16) Employee Costs-Payroll & Benefits (General Housing)	City of Millbrae	Employee general housing program costs	2,412,074	25,350	4,225	4,225	4,225	4,225	4,225	4,225	25,350
17) Maintenance of Properties	City of Millbrae	Maintenance of Property	4,900	2,450	408	408	408	408	408	408	2,448
18) Disposition of Properties	Various Contractors and Admin.	Cost to dispose of properties	79,488	40,000						40,000	40,000
19) City Administration	80% TI	City Administration and Overhead for RDA programs/projects		909,039	75,753						75,753
20) Administration	City of Millbrae/Successor Agency		250,000	250,000	20,833	20,833	20,833	20,833	20,833	20,833	124,998
Total - This Page			35,212,942	4,933,292	140,199	226,346	46,946	595,463	44,168	1,944,486	2,997,608
Total - Other Obligations			129,234,765	2,006,008	0	0	0	0	1,003,004	0	1,003,004
<b>GRAND TOTAL - All Pages</b>			<b>\$164,447,707</b>	<b>\$6,939,300</b>	<b>\$140,199</b>	<b>\$226,346</b>	<b>\$46,946</b>	<b>\$595,463</b>	<b>\$1,047,172</b>	<b>\$1,944,486</b>	<b>\$4,000,612</b>

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

Project Name / Debt Obligation	Payee	FY 2011-2012 Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by Month						
					Jan	Feb	March	April	May	June	TOTAL
1) County of San Mateo			92,312,690	1,504,128					752,064		752,064
2) Total pass through payments for entities listed below:			36,922,075	501,880					250,940		250,940
	County Office of Education										
	San Mateo Union High School										
	San Mateo Community College										
	Millbrae Elementary School										
<b>TOTAL - Other Obligations</b>			129,234,765	2,006,008	0	0	0	0	1,003,004	0	1,003,004