

RESOLUTION NO. OB15-015

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE WEST HOLLYWOOD COMMUNITY DEVELOPMENT COMMISSION ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD JANUARY 1, 2016 THROUGH JUNE 30, 2016, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177

The Oversight Board of the Successor Agency to the West Hollywood Community Development Commission (“Oversight Board”) does resolve as follows:

Section 1. The Board finds and declares that:

- A. Pursuant to Health & Safety Code §§ 34177 and 34180, on May 21, 2012, the Oversight Board approved an Initial Recognized Obligation Payment Schedule (“ROPS”) for the period from February 1, 2012 through June 30, 2012 and a ROPS for the period from July 1, 2012 through December 31, 2012, and submitted the Recognized Obligation Payment Schedules to the Department of Finance (“DOF”) and State Controller;
- B. On May 31, 2012, DOF approved both the February – June 2012 ROPS and July – December 2012 ROPS;
- C. On June 27, 2012, the State Legislature enacted AB 1484 to “clean up” the prior redevelopment dissolution legislation (AB x1 26), which imposes additional Successor Agency auditing requirements;
- D. On August 23, 2012, the Oversight Board approved the ROPS for the period from January 1, 2013 through June 30, 2013, and transmitted the approved ROPS to DOF;
- E. On October 15, 2012, DOF issued a determination letter on ROPS No. 3, objecting to six enforceable obligations, including a permanent financing loan in the amount of \$3.5 million for the Courtyard at La Brea affordable housing project, \$27 million in funding for the Plummer Park project, \$1.8 million in funding for disabled access improvements to West Hollywood Community Housing Corporation buildings, and funding for employee oversight costs for the Janet L. Witkin Center affordable housing project, Courtyard at La Brea affordable housing project, and Plummer Park project. After a meet and confer with the Successor Agency, DOF issued a final determination letter reasserting its denial of the six disputed enforceable obligations;
- F. On February 28, 2013, the Oversight Board approved the ROPS for the period from July 1, 2013 through December 31, 2013 (ROPS 13-14A or ROPS No. 4), without the six disputed enforceable obligations and transmitted the approved ROPS to DOF; however, as part of the resolution approving that ROPS the Successor Agency and Oversight Board affirmed their claim that each of the six

disputed obligations represents an enforceable obligation that should be included on ROPS No.4;

- G. On April 15, 2013, DOF approved the ROPS for the period from July 1, 2013 through December 31, 2013;
- H. On September 18, 2013, the Oversight Board approved ROPS No. 5 (13-14B) for the period from January 1, 2014 through June 30, 2014, and transmitted the approved ROPS to DOF (Resolution No. OB13-009);
- I. On October 28, 2013, DOF approved the January - June 2014 ROPS (13-14B);
- J. On February 20, 2014, the Oversight Board approved ROPS No. 6 (14-15A) for the period from July 1, 2014 through December 31, 2014, and transmitted the approved ROPS to DOF (Resolution No. OB14-012);
- K. On April 3, 2014, DOF approved the July - December 2014 ROPS (14-15A);
- L. On September 25, 2014, the Oversight Board approved ROPS No. 7 (14-15B) for the period from January 1, 2015 through June 30, 2015, and transmitted the approved ROPS to DOF (Resolution No. OB14-013);
- M. On November 11, 2014, DOF approved the January - June 2015 ROPS (14-15B);
- N. On February 26, 2015, the Oversight Board approved ROPS No. 8 (15-16A) for the period from July 1, 2015 through December 31, 2015, and transmitted the approved ROPS to DOF (Resolution No. OB15-014);
- O. On March 25, 2015, DOF approved the July - December 2015 ROPS (15-16A);
- P. To comply with DOF requirements, the Successor Agency did not place the disputed items from ROPS No. 3 on ROPS No. 4 through ROPS No. 8; however, the Successor Agency continues to claim that each of the six disputed obligations represents an enforceable obligation that should be included on the ROPS; and
- Q. To comply with DOF requirements, the Oversight Board desires to adopt this ROPS No. 9 (15-16B) (January 1, 2016 through June 30, 2016) without the disputed items from ROPS No. 3; however, the Successor Agency and Oversight Board continue to claim that each of the six disputed obligations represents an enforceable obligation that should be included on ROPS No. 9. The Successor Agency asserts that it would have entered a payment amount for the disputed items, but that the ROPS 15-16B form required to be used by DOF prevented it from doing so.

Section 2. *Recognized Obligation Payment Schedule.* The Oversight Board hereby adopts the Recognized Obligation Payment Schedule for the period from January 1, 2016 through June 30, 2016 (ROPS No. 9), attached as Exhibit A to this Resolution.

Section 3. *Adoption Under Protest.* The Oversight Board determines that it must approve a ROPS to avoid imposition of potential penalties and fines to the City of West Hollywood (“City”) or the Successor Agency by DOF. Neither the adoption of this Resolution, the approval of this ROPS, nor the performance of actions under or pursuant to this Resolution is intended by the Oversight Board, City, or Successor Agency to waive any right any of them may have to challenge DOF’s previous denial of disputed enforceable obligations included on the January – June 2013 ROPS, their exclusion on this ROPS, and/or the legality of all or any portion of AB x1 26, AB 1484, or the ROPS process, through administrative or judicial proceedings.

Section 4. *Authorization.* The officers and staff of the Oversight Board are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution, including but not limited to providing documents associated with the ROPS to the County Auditor-Controller, State Controller, and State Department of Finance.

Section 5. *Amendment.* The ROPS may be amended from time to time at any public meeting of the Oversight Board.

Section 6. *Environmental Determination.* This Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, et seq., “CEQA”) and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a “project” that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).


Section 7. *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Oversight Board and applicable law. The findings and determinations constitute the independent findings and determinations of the Oversight Board in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Section 8. *Summaries of Information.* All summaries of information in the findings, which precede this Section, are based on the substantial evidence in the record including, without limitation, verbal and documentary evidence submitted to the Oversight Board. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

Section 9. The Oversight Board secretary is directed to certify the adoption of this Resolution; record this Resolution in the book of the Oversight Board’s original resolutions; and make a minute of the adoption of the Resolution in the Oversight Board’s records and the minutes of this meeting.

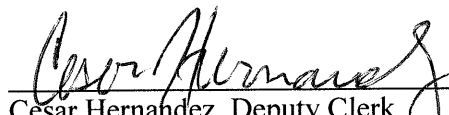
Section 10. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED, APPROVED, AND ADOPTED this 24th day of September, 2015.



Martin Zimmerman, Chairperson

ATTEST:



Cesar Hernandez, Deputy Clerk
Los Angeles County Board of Supervisors
Acting as Secretary for the Oversight Board
of the Successor Agency to the
West Hollywood Community Development Commission

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Oversight Board of the Successor Agency to the West Hollywood Community Development Commission at a special meeting held on the 24th day of September, 2015, by the following vote, to wit:

AYES; David Flaks, Megan Reilly, Gary Smith, Yvonne Quarker
NOES; None
ABSENT: Paul Arevato and Tsilah Burman

Exhibit A

Recognized Obligation Payment Schedule (ROPS 15-16B) - Summary

Filed for the January 1, 2016 through June 30, 2016 Period


Name of Successor Agency: West Hollywood
 Name of County: Los Angeles

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A	Sources (B+C+D):	\$ 125,236
B	Bond Proceeds Funding (ROPS Detail)	-
C	Reserve Balance Funding (ROPS Detail)	125,000
D	Other Funding (ROPS Detail)	236
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 3,953,040
F	Non-Administrative Costs (ROPS Detail)	3,953,040
G	Administrative Costs (ROPS Detail)	-
H	Total Current Period Enforceable Obligations (A+E):	\$ 4,078,276

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	3,953,040
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	-
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 3,953,040

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	3,953,040
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	3,953,040

Certification of Oversight Board Chairman:
 Pursuant to Section 34177 (m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

MARTIN ZIMMERMAN CHAIR
 Name Title
 /s/  9/24/15
 Signature Date

West Hollywood Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail
January 1, 2016 through June 30, 2016
(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source					Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
								\$ 109,712,216		\$ -	\$ 125,000	\$ 236	\$ 3,953,040	\$ -	\$ 4,078,276
7	2011 Tax Allocation Non-Housing Bonds Series A (Principal)	Bonds Issued After 12/31/10	3/1/2011	9/1/2042	Bank of New York	Principal due on bonds issued to fund non-housing projects	East Side Redevelopment Project Area	28,005,000	N						\$ -
8	2011 Tax Allocation Non-Housing Bonds Series A (Interest)	Bonds Issued After 12/31/10	3/1/2011	9/1/2042	Bank of New York	Interest due on bonds issued to fund non-housing projects	East Side Redevelopment Project Area	40,124,938	N				1,021,319		\$ 1,021,319
9	2011 Tax Allocation Non-Housing Bonds Series A (Fees)	Fees	3/1/2011	9/1/2042	Bank of New York	Fees due on bonds issued to fund non-housing projects	East Side Redevelopment Project Area	47,250	N			236	1,514		\$ 1,750
10	2011 Tax Allocation Housing Bonds Series B (Principal)	Bonds Issued After 12/31/10	3/1/2011	9/1/2042	Bank of New York	Principal due on bonds issued to fund housing projects	East Side Redevelopment Project Area	8,690,000	N						\$ -
11	2011 Tax Allocation Housing Bonds Series B (Interest)	Bonds Issued After 12/31/10	3/1/2011	9/1/2042	Bank of New York	Interest due on bonds issued to fund housing projects	East Side Redevelopment Project Area	16,997,838	N				408,806		\$ 408,806
12	2011 Tax Allocation Housing Bonds Series B (Fees)	Fees	3/1/2011	9/1/2042	Bank of New York	Fees due on bonds issued to fund housing projects	East Side Redevelopment Project Area	47,250	N				1,750		\$ 1,750
17	La Brea Courtyard Project (Permanent Financing Loan)	OPA/DDA/Construction	3/1/2011	9/1/2042	West Hollywood Community Housing Corporation	Permanent financing for a 32-unit low and moderate income affordable housing project.	East Side Redevelopment Project Area		N						\$ -
18	La Brea Courtyard Project (Oversight [Employee] Costs)	Project Management Costs	2/1/2012	6/30/2014	City of West Hollywood as Successor Housing Agency	Direct employee costs to manage and oversee the terms and conditions of the agreements, including project management, during pre-development and construction.	East Side Redevelopment Project Area		N						\$ -
19	West Hollywood Community Housing Corporation - Disabled Access Improvements and Rehabilitation of Low and Moderate Income Affordable Housing Projects	OPA/DDA/Construction	3/1/2011	9/1/2042	West Hollywood Community Housing Corporation	Construction and permanent financing for the completion of renovations to existing low and moderate income affordable housing projects owned by the West Hollywood Community Housing Corporation in the East Side Project Area.	East Side Redevelopment Project Area		N						\$ -
20	Phase 1 - Plummer Park Master Plan (Hard & Soft Improvement Costs)	OPA/DDA/Construction	3/1/2011	9/1/2042	City of West Hollywood	Implementation of Phase 1 of the Plummer Park Master Plan, including renovation and expansion of the park (located within the East Side Redevelopment Project Area).	East Side Redevelopment Project Area		N						\$ -
21	Phase 1 - Plummer Park Master Plan (Oversight [Employee] Costs)	Project Management Costs	2/1/2012	6/30/2014	City of West Hollywood	Employee oversight costs for implementation of Phase 1 of the Plummer Park Master Plan, including renovation and expansion of the park (located within the East Side Redevelopment Project Area).	East Side Redevelopment Project Area		N						\$ -
24	Writ of Mandate in Los Angeles Unified School District v. County of Los Angeles	Litigation	6/15/2012	TBD	Los Angeles Unified School District	The difference in the amount WHCDC paid and the amount the County calculates as owed that is consistent with the Court's order, plus 7% interest and less the amount diverted by the county and to be paid out.	East Side Redevelopment Project Area		N						\$ -
25	Successor Agency Administrative Costs/Budget	Admin Costs	7/1/2015	6/30/2016	Successor Agency to the West Hollywood Community Development Commission	Various administrative costs for continued operation of the Successor Agency to the West Hollywood Community Development Commission during the 2014-15 fiscal year.	East Side Redevelopment Project Area	125,000	N		125,000				\$ 125,000
26	2013 Tax Allocation Refunding Bonds (Principal)	Bonds Issued After 12/31/10	12/24/2013	9/1/2033	Bank of New York	Principal due on bonds issued to refund the 2003 tax allocation bonds, as part of the LA County pooled refunding program	East Side Redevelopment Project Area	8,744,818	N						\$ -

West Hollywood Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail
 January 1, 2016 through June 30, 2016
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source					Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
27	2013 Tax Allocation Refunding Bonds (Interest)	Bonds Issued After 12/31/10	12/24/2013	9/1/2033	Bank of New York	Interest due on bonds issued to refund the 2003 tax allocation bonds, as part of the LA County pooled refunding program	East Side Redevelopment Project Area	4,584,514	N				209,763		\$ 209,763
28	2013 Tax Allocation Refunding Bonds (Fees)	Fees	12/24/2013	9/1/2033	Bank of New York	Fees for the Local Agency Trustee, due on the bonds issued to refund the 2003 tax allocation bonds, as part of the LA County pooled refunding program	East Side Redevelopment Project Area	35,720	N				-		\$ -
30	2011 Tax Allocation Non-Housing Bonds Series A (Principal) - Reserves	Reserves	3/1/2011	9/1/2042	Bank of New York	Reserve for 9/1/2016 principal payment due on bonds issued to fund non-housing projects. Reserve is required pursuant to the bond covenants.	East Side Redevelopment Project Area	305,000	N				305,000		\$ 305,000
31	2011 Tax Allocation Non-Housing Bonds Series A (Interest) - Reserves	Reserves	3/1/2011	9/1/2042	Bank of New York	Reserve for 9/1/16 interest payment due on bonds issued to fund non-housing projects. Reserve is required pursuant to the bond covenants.	East Side Redevelopment Project Area	1,021,319	N				1,021,319		\$ 1,021,319
32	2011 Tax Allocation Housing Bonds Series B (Principal) - Reserves	Reserves	3/1/2011	9/1/2042	Bank of New York	Reserve for 9/1/2016 principal payment due on bonds issued to fund non-housing projects. Reserve is required pursuant to the bond covenants.	East Side Redevelopment Project Area	55,000	N				55,000		\$ 55,000
33	2011 Tax Allocation Housing Bonds Series B (Interest) - Reserves	Reserves	3/1/2011	9/1/2042	Bank of New York	Reserve for 9/1/16 interest payment due on bonds issued to fund non-housing projects. Reserve is required pursuant to the bond covenants.	East Side Redevelopment Project Area	408,806	N				408,806		\$ 408,806
34	2013 Tax Allocation Refunding Bonds (Principal) - Reserves	Reserves	12/24/2013	9/1/2033	Bank of New York	Reserve for 9/1/2016 principal payment due on bonds issued to fund non-housing projects. Reserve is required pursuant to the bond covenants.	East Side Redevelopment Project Area	310,000	N				310,000		\$ 310,000
35	2013 Tax Allocation Refunding Bonds (Interest) - Reserves	Reserves	12/24/2013	9/1/2033	Bank of New York	Reserve for 9/1/16 interest payment due on bonds issued to fund non-housing projects. Reserve is required pursuant to the bond covenants.	East Side Redevelopment Project Area	209,763	N				209,763		\$ 209,763
36									N						\$ -
37									N						\$ -
38									N						\$ -
39									N						\$ -
40									N						\$ -
41									N						\$ -
42									N						\$ -
43									N						\$ -
44									N						\$ -
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51									N						\$ -
52									N						\$ -
53									N						\$ -
54									N						\$ -
55									N						\$ -
56									N						\$ -
57									N						\$ -

West Hollywood Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#)

A	B	C	D	E	F	G	H	I	
Cash Balance Information by ROPS Period		Fund Sources						Comments	
		Bond Proceeds		Reserve Balance		Other	RPTTF		
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin		
ROPS 14-15B Actuals (01/01/15 - 06/30/15)									
1	Beginning Available Cash Balance (Actual 01/01/15)	-	32,080,319	-	125,000	-	174,788	Bond Proceeds include \$26,432,892 of Non-Housing proceeds and \$5,647,427 of Housing proceeds. \$125,000 RPTTF Reserve is administrative allowance distributed in the 14-15A period and held for the 14-15B period. The \$174,788 in RPTTF is the Prior Period Adjustment from ROPS 13-14B.	
2	Revenue/Income (Actual 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015	-	11,858	-	-	236	2,915,110	\$11,858 of added bond proceeds is interest gain on the existing bond proceeds. \$236 in "other funds" is interest gain on successor agency cash. \$2,915,110 is the Successor Agency's RPTTF distribution for the ROPS 14-15B period.	
3	Expenditures for ROPS 14-15B Enforceable Obligations (Actual 06/30/15) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q	-	-	-	125,000	-	1,657,755	Includes \$1,657,755 in expenditures for enforceable obligations and \$125,000 in administration allowance expenditures.	
4	Retention of Available Cash Balance (Actual 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	-	-	-	-	-	1,432,143	RPTTF held in reserve for bond debt service payments during the ROPS 15-16A period. This reserve is required pursuant to the covenants within the Indenture of Trust and/or Supplement to the Indenture of Trust for the Agency's 2013 TARBS and 2011 TABS. Reserve request was approved by DOF on ROPS 14-15B.	
5	ROPS 14-15B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15B PPA in the Report of PPA, Column S	No entry required						-	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ 32,092,177	\$ -	\$ -	\$ 236	\$ -		
ROPS 15-16A Estimate (07/01/15 - 12/31/15)									
7	Beginning Available Cash Balance (Actual 07/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ -	\$ 32,092,177	\$ -	\$ 1,432,143	\$ 236	\$ -		
8	Revenue/Income (Estimate 12/31/15) RPTTF amounts should tie to the ROPS 15-16A distribution from the County Auditor-Controller during June 2015						1,109,713	Includes \$859,713 in RPTTF for enforceable obligations and \$250,000 in RPTTF for admin. \$250,000 is the administrative allowance for 7/1/15 through 6/30/16.	
9	Expenditures for ROPS 15-16A Enforceable Obligations (Estimate 12/31/15)				1,432,143		984,713	Includes \$2,291,856 in expenditures for enforceable obligations and \$125,000 in administration allowance expenditures.	
10	Retention of Available Cash Balance (Estimate 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						125,000	Administrative allowance for 1/1/16-6/30/16, full \$250,000 administrative allowance for FY 15-16 was requested and approved on ROPS 15-16A (as indicated above).	
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ -	\$ 32,092,177	\$ -	\$ -	\$ 236	\$ -		

