

Carlos Martinez

To: Carlos Martinez
Subject: RE: East Palo Alto Oversight Board Approved ROPS

From: Carlos Martinez

Sent: Tuesday, April 17, 2012 3:27 PM

To: Carlos Martinez; rda-sdsupport@sco.ca.gov; badler@co.sanmateo.ca.us; controller@smcgov.org; reddevelopment_administration@dof.ca.gov

Cc: stourel@smcgov.org; kcharan@smcgov.org; 'Karen M. Tiedemann'; Kathleen Kane; Edmund Suen; John Doughty; Sharon Jones; Sean Charpentier; Gary Baum; Ronald Davis; 'Ruben Abrica'

Subject: RE: East Palo Alto Oversight Board Approved ROPS

Hon. Bob Adler, Controller, County of San Mateo.

Hon. Ana J. Matosantos, Director, California State Department of Finance.

Hon. John Chiang, Controller, California State Controller's Office.

We discovered an error in the vote counting sheet in one of the resolutions (RESOLUTION OSB 2012-02) we emailed you yesterday.

Oversight Board Member Michele Braucht was counted as NOES. However, Ms. Braucht ABSTAINED.

While the mistake is inconsequential to the voting result, we wanted to provide you a corrected resolution to keep an accurate public record.

Attached is the corrected resolution.

Please replace the last, vote counting sheet, and excuse the inconvenience.

Thanks,

Carlos Martinez

City of East Palo Alto Oversight Board Secretary

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RESOLUTION NO. OSB 2012-02

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY
FOR THE REDEVELOPMENT AGENCY OF THE CITY OF EAST PALO ALTO
APPROVING \$2,376,000 IN REQUIRED LOCAL MATCH FOR THE BAY ROAD
PROJECT**

WHEREAS, in 2005, the City of East Palo Alto received two U.S. Department of Transportation earmarks (706 and 3763) for \$4,800,000 and \$6,000,000 respectively, for the Bay Road Project Phases II and III; and

WHEREAS, the Department of Transportation earmarks require a 20% local match; and

WHEREAS, in 2007, the City of East Palo Alto completed Bay Road Phase I, which built streetscape and pedestrian safety improvements along Bay Road between University Ave., and Clarke Ave; and

WHEREAS, in 2009, the City of East Palo Alto approved resolution 2903 that adopted the Draft Ravenswood Business District Engineering Plan as the basis of design for Phases II and III the Bay Road Project; and

WHEREAS, in December 2011, the California Supreme Court upheld on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding ABx1 26 (the "Dissolution Act") largely constitutional; and

WHEREAS, the City adopted resolution 4226 on January 10, 2012 making itself the Successor Agency; and

WHEREAS, the Dissolution Act requires an Oversight Board to oversee the expenditures of the Successor Agency; and

WHEREAS, Section 34180(e) of the Dissolution Act states that Oversight Boards "shall" first approve the continuing acceptance of federal grants that require a match greater than 5%; and

WHEREAS, the Dissolution Act provides Oversight Boards the discretion to approve expenditures on projects that are in the interest of the represented agencies on the Recognized Payments Schedule (ROPS); and

WHEREAS, the Bay Road Project is estimated to cost \$11,879,000; and

WHEREAS, 80% of the funds (\$9,503,000) are from the Federal Earmark, and 20% of the funds (\$2,376,000) are the required local match from the former Redevelopment Agency; and

WHEREAS, the Ravenswood Business District is underutilized and generates little property taxes for any of the taxing entities; and

WHEREAS, the City is working on a Ravenswood/4 Corners Specific Plan that will encourage new and higher value uses that will generate higher property values and taxes, which will benefit all taxing entities; and

WHEREAS, without the Bay Road project, there will be no new development and new growth in property taxes in the Ravenswood Business District; and

WHEREAS, the City is planning to issue a Request for Proposals for the design and environmental services for the Bay Road project in May 2012; and

WHEREAS, the City anticipates that the design and construction of the Bay Road project will take approximately 2.5 years; and

WHEREAS, as the Successor Agency, the City is requesting that the Oversight Board include the Bay Road project required match on the April 16, 2012 ROPS, and allocate the \$2,376,000 in 5 equal increments \$475,200 for each of the next 5 ROPS; and

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency for the Dissolved RDA hereby finds, resolves, and determines as follows:

SECTION 1. The foregoing recitals are true and correct, and, together with information provided by the Successor Agency staff and the public, form the basis for the approvals, findings, resolutions, and determinations set forth below.

SECTION 2. Under Health and Safety Code Section 34180(g), establishment of a ROPS for the Successor Agency must be approved by the Oversight Board.

SECTION 3. Beginning on the April 16, 2012 ROPS, the Oversight Board will fund the required \$2,376,000 local match in 5 equal increments of \$475,200 in each of the next 5 ROPS.

SECTION 4. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h).

ADOPTED on April 16, 2012 by the Members of the Oversight Board of the Successor Agency for the Redevelopment Agency of the City of East Palo Alto with the following vote, to wit:

AYES: 6 Ayes (Abrica, Chow, Curtis, Doughty, Farrales, Jellins)

NOES:

ABSENT:

ABSTAIN: (Braucht)



Carlos Martinez, Secretary to the OSB



Ruben Abrica, Chair