

RESOLUTION NO. OB-2015-06

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE GONZALES REDEVELOPMENT AGENCY, AFFIRMING ITS APPROVAL OF A LOAN AGREEMENT AND A REIMBURSEMENT AGREEMENT AS ENFORCEABLE OBLIGATIONS OF THE SUCCESSOR AGENCY

WHEREAS, the Oversight Board (the “Oversight Board”) to the Successor Agency (the “Successor Agency”) to the Gonzales Redevelopment Agency (the “Agency”) has been appointed pursuant to the provisions of Health & Safety Code Section 34179; and

WHEREAS, pursuant to Health & Safety Code Section 34177(l)(2)(B), the Oversight Board approved the Recognized Obligation Payment Schedules of the Successor Agency for the period of January 1, 2012 to June 30, 2012 (the “First ROPS”), and the period of July 1, 2012 to December 31, 2012 (the “Second ROPS”), at its meetings of April 9, 2012, and May 7, 2012, respectively ; and

WHEREAS, the First ROPS and the Second ROPS included a Loan Agreement (the “Loan Agreement”) dated June 1, 2011 between the City and the Agency, and a Reimbursement Agreement (the “Reimbursement Agreement”) dated June 1, 2011 between the City and the Agency ; and

WHEREAS, the Agency issued its 2006 Tax Allocation Notes (the “2006 Notes”) on May 24, 2006, pursuant to a Trust Indenture (the “2006 Trust Indenture”) dated May 1, 2006; and

WHEREAS, under the terms of the 2006 Trust Indenture, the Agency covenanted and agreed to issue its refunding bonds or other further obligations (“Other Obligations”) at such time and in such amounts as to provide for the refunding of the 2006 Notes by their maturity date of August 1, 2011; and

WHEREAS, the Agency issued its 2012 Tax Allocation Refunding Bonds (the “2012 Bonds”) in an amount that was not sufficient to refund the 2006 Notes, due to reduced tax increment revenues; and

WHEREAS, the Loan Agreement and the Reimbursement Agreement were entered into as Other Obligations in order to provide additional amounts necessary to fully refund the 2006 Notes, pursuant to the covenants contained in the 2006 Trust Indenture.

NOW, THEREFORE, BE IT RESOLVED by the Oversight Board as follows:

SECTION 1. The Oversight Board hereby affirms its approval of the Loan Agreement and the Reimbursement Agreement as Enforceable Obligations and were used for legitimate redevelopment purposes on the First ROPS and Second ROPS under the terms of the 2006 Trust Indenture, pursuant to Health & Safety Code Section 34178(b)(1) .


PASSED AND ADOPTED by the Oversight Board at a special meeting held on the 9th day of November, 2015, by the following vote:

AYES: BOARD MEMBERS: Vice Chair Matt Gourley, Scott Funk, Rene Mendez and Chair Chris Lopez


NOES: BOARD MEMBERS: None

ABSENT: BOARD MEMBERS: Jayanti Addleman, Sara Perez, and Marty Parsons

ABSTAIN: BOARD MEMBERS: None


Chris Lopez, The Honorable Chair

ATTEST:


Rene L. Mendez, Secretary