

SPECIAL MEETING AGENDA

Pismo Beach Designated Local Authority, as
Successor Agency to the Pismo Beach Redevelopment Agency
Tuesday, February 11, 2014 at 4:30 PM
Shell Beach Veteran's Hall
230 Leeward Avenue, Shell Beach, CA 93449

The agenda for special meetings is posted 24 hours prior to each meeting outside of the Shell Beach Veteran's Hall located at 230 Leeward Avenue, Shell Beach, CA 93449, and is available at each meeting. The agenda and related reports are also available at the County Clerk's Office and are available on the County's website at www.slocounty.ca.gov and the Designated Local Authority's website at www.kosmont.com. Any writing distributed within 24 hours of the meeting will be made available to the public by placing it with the County Clerk at the time it is distributed to the Designated Local Authority.

Call to Order

Roll Call: Tom Murray, Chair
Janet George, Vice Chair
Charlie Crabb, Member

Public Comment: (No action can be taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the Board. Individual comments will be limited to a maximum of 5 minutes per person and each person may speak once during this time. Time cannot be yielded to another person. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the Board. The public will be invited to make comments on agenda items when the item is being considered by the Board. For purposes of the record please state your name when speaking.

Public Comments for Closed Session Items: (No action can be taken)

Members of the public interested in addressing the Board on Closed Session Items must fill out a form provided at the door and give it to the Board Secretary prior to announcement of the Closed Session Items.

Please be aware that the maximum time allotted will be 3 minutes per person, and each person may speak once during this time. Time cannot be yielded to another person. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the Board. Please state your name and address for the record.

Oral Communications on Closed Session Items:

Closed Session:

The Designated Local Authority Counsel shall provide a briefing on the items listed for Closed Session as follows:

1. Conference with Legal Counsel – Existing Litigation (Paragraph (1) of subdivision (d) of Section 54956.9) – Lucia Mar Unified School District v. Designated Local Authority, as Successor Agency to the Redevelopment Agency of the City of Pismo Beach, et al. (Case No. CV 130573).

Recess to Closed Session:

Conducted in accordance with applicable sections of California law. Close Sessions are not open to the public. The item(s) listed above will be discussed in Closed Session.

Reconvene Regular Meeting:

Informational Items:

- A. Status of Housing Asset Transfer – No action will be taken.

Action Items:

1. Approval of Minutes of the December 2, 2013 Meeting of the Pismo Beach Designated Local Authority

Recommendation: It is recommended that the Pismo Beach Designated Local Authority approve the minutes of the December 2, 2013 meeting of the Pismo Beach Designated Local Authority

2. Approval of ROPS 14-15A

Recommendation: Adopt Resolution DLA-2014-01 approving the Recognized Obligation Payment Schedule (ROPS 14-15A) for the period July 1, 2014 through December 31, 2014

Adjournment:

Americans with Disabilities Act: Any individual, who because of a disability need special assistance to attend or participate in this meeting may request assistance by contacting (805) 710-1082.

Designated Local Authority Staff Contact, Chris Jicha, (951)203-8730, cjicha@kosmont.com

**REPORT TO THE PISMO BEACH DESIGNATED LOCAL AUTHORITY, AS
SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF
PISMO BEACH**

TO: DESIGNATED LOCAL AUTHORITY BOARD

FROM: CHRIS JICHA, SUCCESSOR AGENCY STAFF

DATE: FEBRUARY 11, 2014

SUBJECT: STATUS OF HOUSING ASSET TRANSFER

Background

In accordance with the provisions of the California Community Redevelopment Law (Health and Safety Code section 33000, et seq. ("CRL"), the City Council of the City of Pismo Beach ("City") previously established the Redevelopment Agency of the City of Pismo Beach, a public body, corporate and politic ("Agency"), to carry out the purposes of and exercise the powers granted to community redevelopment agencies in accordance with the CRL. On February 1, 2012, the Agency was dissolved in accordance with Assembly Bill 1X26 (Stats. 2011, 1st Ex. Sess., Ch. 5) ("AB 26"), and its rights, powers, duties and obligations were transferred to a "successor agency" (as defined by CRL section 34171(j) and section 34173). The City Council took official action declining to become the former Agency's successor agency in accordance with CRL section 34173. As a result, the Designated Local Authority ("DLA") was formed in to serve as the Successor Agency.

Under CRL section 34173, the DLA succeeded to all of the former Agency's rights and assets, including its housing assets. CRL section 34176(a)(1) and section 34177(g) require that the Successor Agency transfer all of the former Agency's housing assets to the Housing Successor Agency. The DLA's housing assets consist of a Promissory Note in the original principal amount of \$1,000,000, secured by a deed of trust recorded against a project commonly known as the "Pismo Beach Bungalows." The City Council took official action declining to become the successor to the former Agency's low and moderate income housing powers, duties, and obligations, leaving the former Agency without a housing successor.

Discussion

DLA Chairman Murray, the County Auditor-Controller and DLA counsel have contacted various parties to determine the appropriate housing successor entity in accordance with AB 26 – see attached email correspondence, most recent first, dating back to August 2012. Initially, the City and the California Department of

Housing and Community Development disagreed on the proper party. In late 2013, DLA counsel contacted County counsel to determine if the County was the proper housing successor. In December 2013, the Department of Finance ("DOF") was consulted and determined that the Housing Authority of San Luis Obispo ("HASLO") is the proper housing successor under AB 26.

In January 2014, the governing council of HASLO declined to vote on becoming the housing successor to the former Agency without further clarification on the obligations of a housing successor. HASLO has requested that the DLA's counsel provide a letter to HASLO outlining those responsibilities by Friday, February 14, 2014, and requested that DLA counsel be available by phone for HASLO's meeting on February 20. DLA counsel has been directed to take such actions as requested by HASLO to facilitate HASLO's election to become the housing successor and transfer the housing assets to HASLO.

Once HASLO elects to become the housing successor, DLA counsel will prepare transfer documents for the note and deed of trust, a Housing Asset Transfer form to be filed by the housing successor with DOF, DLA staff reports and resolutions approving the transfer, and, if requested, a proposed form of Oversight Board action approving the transfer. All transfers of assets by the DLA must be approved by the Oversight Board with at least ten (10) days public notice of the proposed transfer.

Attachments:

Various email correspondence.

Joy Otsuki

From: Scott Smith <SSmith@haslo.org>
Sent: Monday, February 10, 2014 7:02 AM
To: Joy Otsuki; Tom Murray
Cc: Ken Litzinger
Subject: Pismo Beach RDA

Hi Joy and Tom,

This is a follow up on the Pismo RDA. Joy and I have been trading messages so in order to move things forward I am proposing the following:

- 1) The current successor agency prepare a letter to HASLO Commission that contains the following:
 - a. A request that we become the housing successor and accept the asset assignment
 - b. A description of the specific responsibilities that it entails, including
 - i. Administrative tasks
 - ii. Frequency of meetings
 - iii. Required reports
 - iv. Audit requirements
 - v. Estimated hours annually of staff time
 - vi. Estimated hours annually of legal time
 - vii. Revenue sources to offset costs
- 2) We establish a time certain for Joy to participate via conference call in our February Commission meeting to discuss this item. The meeting begins at 12 noon on February 20th. I am suggesting we establish 12:30 for the call time.

My Commission packets are mailed out Friday of this week (Feb 14), so it would be helpful to have the letter described in Item 1 by Friday in order to include it in the agenda packets.

Thanks in advance.

Scott

Scott Smith
Executive Director
HASLO
Housing Authority of San Luis Obispo
487 Leff Street
San Luis Obispo, CA 93406-1289

(805)594-5323

Joy Otsuki

From: Tom Murray <tmurrayinslo@gmail.com>
Sent: Monday, January 27, 2014 8:22 AM
To: MClark@sco.ca.gov
Cc: Chris Jicha; Joy Otsuki; Jim Erb
Subject: Fwd: Pismo RDA Note

Hi Margaux, as you can see by the forwarded email HASLO has declined to accept the note at this time. I'm not sure what we will do next. I've forwarded this email to staff and council and await their response. I will keep you informed. I appreciate your patience on this.
Let me know if you have questions.

Tom

----- Forwarded message -----

From: Scott Smith <SSmith@haslo.org>
Date: Friday, January 24, 2014
Subject: Pismo RDA Note
To: Tom Murray <tmurrayinslo@gmail.com>

Hi Tom,

Apologies, but our Commission declined to vote on this item without more information in writing regarding the duties and responsibilities they would be agreeing to. I believe they will be ok with the transfer of the asset, but they don't understand what time and costs might be associated with being successor agency per HSC 34176, collecting information, filing reports, holding meetings, legal counsel, dealing with the state/DOF etc. Who is the legal counsel that you are currently using? I think we probably need to have a meeting with them to discuss these items.

Scott Smith

Executive Director

HASLO

Housing Authority of San Luis Obispo

487 Leff Street

San Luis Obispo, CA 93406-1289

(805)594-5323

From: Tom Murray [mailto:tmurrayinslo@gmail.com]
Sent: Thursday, January 23, 2014 3:40 PM
To: Scott Smith
Subject: Re: note

Hi Scott, can you send me the resolution or agenda item and vote accepting the note in principle? It's ok if there are conditions as we discussed. Once I have that we can move forward with transferring the note.
Thanks!

On Friday, January 10, 2014, Scott Smith <SSmith@haslo.org> wrote:

> Thank you Tom. Please ignore my last email. I read your emails out of order and this answers my previous question.

>

>

>

> Scott Smith

>

> Executive Director

>

> HASLO

>

> Housing Authority of San Luis Obispo

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> 487 Leff Street

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> San Luis Obispo, CA 93406-1289

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> (805)594-5323

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> From: Tom Murray [mailto:tmurrayinslo@gmail.com]

> Sent: Friday, January 10, 2014 2:52 PM

> To: Scott Smith

> Subject: note

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> **IMPORTANT:** The information contained in this e-mail message is confidential and is intended only for the named addressee(s). This message may be protected by the attorney-client privilege. If the reader of this e-mail message is not an intended recipient (or the individual responsible for the delivery of this e-mail message to an intended recipient), please be advised that any re-use, dissemination, distribution or copying of this e-mail message is prohibited. If you have received this e-mail message in error, please reply to the sender that you have received this message in error and then delete it. Thank you.

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> Scott, our legal counsel will prepare the assignment documents. Your board will need to elect to become the housing successor to the former Pismo redevelopment agency in accordance with HSC Section 34176 and that election will need to be filed with DOF (our counsel can speak with your counsel on this). HASLO will also need to file a housing asset transfer worksheet with DOF (our counsel can prepare the HAT for you review if you would like). Once you send me your board's approval we will authorize the transfer which will then be forwarded to the oversight board and DOF for approval. Once they approve the transfer of the asset it will be recorded with HASLO being the beneficiary of the note and assignee of the deed of trust.

>
> HASLO's obligations regarding this asset will be to monitor the affordability covenants (though this is optional under the statute) and comply with applicable law when spending any money received in payment of the note.

>
> Hi Tom,

>
> Could you please forward to me a copy of the note, loan agreement and any other documents association with the obligation? I am familiar with the generalities, as I put that project together as well as the financing when I was Deputy Director for Peoples' Self-Help Housing (the borrower).

>
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> I can probably get conceptual approval of our Commission at our meeting next week. However, it would be helpful to have the actual documents.

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>
> Also, they will want to know two things:

> 1) What sort of assignment document is necessary to make this happen, and does that Successor Agency have legal counsel that can advise on this?

> 2) Is HASLO's role limited to this asset, or is there any other Successor responsibility required on the part of HASLO?

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> Thanks in advance.

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> Scott

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> Scott Smith

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> Executive Director

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> HASLO

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> Housing Authority of San Luis Obispo

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> 487 Leff Street
>
> San Luis Obispo, CA 93406-1289
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> (805)594-5323
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> From: Tom Murray [mailto:tmurrayinslo@gmail.com]
> Sent: Friday, January 10, 2014 10:19 AM
> To: Scott Smith
> Subject: note
>
>
>
> Hi Scott, I'm Tom Murray, chair of the Designated Local Authority for the former Pismo Beach RDA. We are charged with reallocating a 1m. note from people's self - help housing. It has been determined HASLO is the proper recipient if this particular asset. I believe Jim Erb and Dana Lilley have been in touch regarding this.
> Please let me know what I can do to facilitate this transfer.
>
> Tom Murray, 805 710-1082

Joy Otsuki

From: Tom Murray <tmurrayinslo@gmail.com>
Sent: Monday, January 06, 2014 2:51 PM
To: MClark@sco.ca.gov
Cc: Jim Erb; bgodwin@co.slo.ca.us; dlilley@co.slo.ca.us; Joy Otsuki; Chris Jicha
Subject: Re: Fw: Pismo Beach DLA ASSET TRANSFER

Hi Margaux,

I appreciate your patience while we work through this item. I hope you had an enjoyable holiday. In a recent conversation with DOF, the CAC has confirmed The Housing Authority of SLO is the proper recipient of the note. As you may recall, the Pismo Beach City Attorney disputed the finding HASLO is the proper recipient of this particular asset. The HASLO executive director has agreed that HASLO can accept the note. This will require HASLO board action which we expect to take place sometime this month.

Once the HASLO has voted to accept the note the DLA will meet at the earliest opportunity, most likely a special meeting, to pass a resolution transferring the asset to HASLO. Once our end is complete, the oversight board has indicated they will act promptly to pass the resolution you are requesting.

If you have any questions please don't hesitate to contact me or our council, Joy Otsuki. Thank you again for your patience.

Tom

On Monday, December 30, 2013, <MClark@sco.ca.gov> wrote:

> Hi Tom,

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> Thank you for the update. Can you please email me the Oversight Board Resolution that approves the transfer of the \$1,000,000 receivable from the Successor Agency (DLA) to the Housing Authority of San Luis Obispo?

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> Thank you,

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> Margaux

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> From: Tom Murray [mailto:tmurrayinslo@gmail.com]

> Sent: Monday, December 23, 2013 3:40 PM

> To: Clark, Margaux

> Cc: Joy Otsuki; Chris Jicha

> Subject: Fwd: Fw: Pismo Beach DLA ASSET TRANSFER

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> ----- Forwarded message -----

> From:

> Date: Monday, December 23, 2013

> Subject: Re: Fw: Pismo Beach DLA

> To: dlilley@co.slo.ca.us, tmurrayinslo@gmail.com

> Cc: aduggan@co.slo.ca.us

>

>

> Great, I talked to Scott Smith today too. Tom, HASLO will take the Note, in fact Mr. Smith was involved in the original project. He thinks his Board will need to take some action accepting the note, their next meeting is in January. Next step is to determine how the DLA assigns the Note to the HASLO. DLA Counsel should be able to provide guidance on this. I will find out when HASLO needs it by to get on the January agenda.

>

> Tom, if you can forward this e-mail string to the SCO auditor.

>

> James P. Erb, CPA

> County Auditor-Controller

> Treasurer-Tax Collector

> Public Administrator

> 1055 Monterey St., Room D220

> County Government Center

> San Luis Obispo, CA 93408

> (805)788-2964

>

>

>

> From: Dana Lilley/Planning/COSLO

> To: Jim Erb/AC/COSLO@Wings

> Cc: Ann Duggan/Counsel/COSLO@Wings

> Date: 12/23/2013 09:50 AM

> Subject: Fw: Pismo Beach DLA

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>

> Jim: Scott Smith appears to agree with my theory about a county-wide housing authority. See his response below.

>

> Dana Lilley, Supervising Planner

> Housing & Economic Development

> County of San Luis Obispo

> (805) 781-5715

> 976 Osos Street, Room 300

> San Luis Obispo, CA 9408

> ----- Forwarded by Dana Lilley/Planning/COSLO on 12/23/2013 09:47 AM -----

>

> From: Scott Smith <SSmith@haslo.org>

> To: "dlilley@co.slo.ca.us" <dlilley@co.slo.ca.us>

> Date: 12/23/2013 09:46 AM

> Subject: RE: Pismo Beach DLA

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> Hi Dana,

> I was aware of this for a while now. The State had called down a while back and asked (or told) us that we "had" to this (ha ha). Then last week the County Auditor-Controller left me a voicemail asking if we would do this (still need to call him back).

>

> I did speak with our Commission and they are ok with it, and also have the same opinion re the county-wide functioning.

>

> Let me know if you would like to discuss this further.

>

> Scott

>

>

>

> Scott Smith

> Executive Director

> HASLO

> Housing Authority of San Luis Obispo

> 487 Leff Street

> San Luis Obispo, CA 93406-1289

>

> (805)594-5323

>

> From: dlilley@co.slo.ca.us [mailto:dlilley@co.slo.ca.us]

> Sent: Monday, December 23, 2013 9:20 AM

> To: Scott Smith

> Subject: Pismo Beach DLA

>

> Scott:

>

> The \$1 million note held by the former Pismo Beach Redevelopment Agency in conjunction with a recent housing project sponsored by PSHHC is being processed for transfer to an appropriate entity. The law on this matter is a bit confusing, but I think we may be concluding that HASLO functions as a county-wide housing authority (at least for Section 8) and therefore may be the appropriate entity to receive the note. If and when it is repaid, then the funds could be used to support new housing. Were you aware of this matter? Would HASLO be willing to accept the note?

>

> Dana Lilley, Supervising Planner

> Housing & Economic Development

> County of San Luis Obispo

> (805) 781-5715

> 976 Osos Street, Room 300

> San Luis Obispo, CA 9408

>

> [Scanned @co.slo.ca.us]

>

> [Scanned @co.slo.ca.us]

Joy Otsuki

From: aduggan@co.slo.ca.us
Sent: Monday, December 23, 2013 5:20 PM
To: Joy Otsuki
Subject: RE: Fw: Pismo Beach DLA Transfer of Housing Assets

Hi Joy,

I just wanted to get back to you about the above-referenced matter. I think the last phone tag was you to me. . . . You left me a detailed phone message last week and were going to give me a call back. In the meantime, I had our Auditor get in touch with the DOF. We got confirmation that the DOF believes that the appropriate entity to assume the rights, duties, and responsibilities in connection with the note is the Housing Authority of San Luis Obispo (HASLO). This is technically the housing authority for the City of San Luis Obispo, but HASLO has been designated by our Board of Supervisors as the authority with certain low-income housing responsibilities county-wide. For this reason, we believe, as does the DOF, that it meets the qualifications of H & S 34176, subdivision (b).

If you have any further questions, please feel free to contact me. Happy holidays.

Ann Duggan, Deputy County Counsel
Office of County Counsel
County of San Luis Obispo
1055 County Government Center, Room D320
San Luis Obispo, CA 93408
(805) 781-5400 Telephone
(805) 781-4221 Faxline

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From: "Joy Otsuki" <joy@ceqa.com>
To: <aduggan@co.slo.ca.us>
Cc: "Tom Murray" <tmurrayinslo@gmail.com>
Date: 12/18/2013 01:33 PM
Subject: RE: Fw: Pismo Beach DLA Transfer of Housing Assets

Hi Ann –

I just left you a voicemail message but would like to speak with you in person when you have time.

Please give me a call back this week or give me a few possible dates and times which are good for you so we can schedule a quick call.

Thanks.

Joy Heuser Otsuki
Leibold McClendon & Mann, P.C.
23422 Mill Creek Drive, Suite 105
Laguna Hills, CA 92653
Tel: (949) 457-6300
Dir: (949) 457-6111
Fax: (949) 457-6305
joy@ceqa.com

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From: aduggan@co.slo.ca.us [mailto:aduggan@co.slo.ca.us]
Sent: Tuesday, December 17, 2013 4:53 PM
To: Joy Otsuki
Subject: Re: Fw: Pismo Beach DLA Transfer of Housing Assets

Joy,

I just touched base with our Auditor about this yesterday. I think the last contact we had on this, I had left you a message re-questions I have about H & S 34176, which is apparently the governing statutory provision that addresses which entity shall be responsible for the housing activities of the former agency. I was never able to definitively confirm with anyone that "the county" actually has a "housing authority". As far as I can tell, there is a City of San Luis Obispo Housing Authority (HASLO), which may have jurisdiction county wide. My concern is with the language in section 34176, subdivision (b), which is what I had tried contacting you about several weeks ago. That section provides as follows:

If a city, county, or city and county does not elect to retain the responsibility for performing housing functions previously performed by a redevelopment agency, all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the agency, excluding any amounts in the Low and Moderate Income Housing Fund, shall be transferred as follows:

- (1) Where there is no local housing authority in the territorial jurisdiction of the former redevelopment agency, to the Department of Housing and Community Development.
- (2) Where there is one local housing authority in the territorial jurisdiction of the former redevelopment agency, to that local housing authority.
- (3) Where there is more than one local housing authority in the territorial jurisdiction of the former redevelopment agency, to the local housing authority selected by the city, county, or city and county that authorized the creation of the redevelopment agency. . . .

I learned from Jim Erb yesterday that counsel for the State Housing and Community Development believes that this language is interpreted broadly and that the note may be transferred to the county housing authority (and I am still not clear what the name of this housing authority is, but I presume it is HASLO). Of course the HCD likely does not want to assume the legal obligations and/or liability relating to the note. The HCD made reference to the fact that the DOF has the authority to determine the appropriate housing authority who should assume the legal obligations/assets, etc. under subdivision (b), above. I asked Jim Erb, our County Auditor, if he could contact DOF to get something in writing from the DOF indicating that it had made this determination with regard to the county housing authority. He indicated he would try to do that.

If you have an interpretation different from mine regarding subdivision (b) above, regarding the "territorial jurisdiction" language, I'd appreciate your input. I have read an opinion from the City attorney of Pismo that agreed as well that the HASLO is not in the "territorial jurisdiction" of the former RDA.

Please feel free to contact me to discuss this at your earliest convenience.
Ann Duggan, Deputy County Counsel
Office of County Counsel
County of San Luis Obispo

1055 County Government Center, Room D320
San Luis Obispo, CA 93408
(805) 781-5400 Telephone
(805) 781-4221 Faxline

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From: "Joy Otsuki" <joy@ceqa.com>
To: <aduggan@co.slo.ca.us>
Cc: "Tom Murray" <tmurrayinslo@gmail.com>, <ciicha@kosmont.com>
Date: 12/17/2013 02:13 PM
Subject: Fw: Pismo Beach DLA Transfer of Housing Assets

Hi Ann –

Just checking in for an update on where the county is with this.

Thanks.

Joy Heuser Otsuki
Leibold McClendon & Mann, P.C.
23422 Mill Creek Drive, Suite 105
Laguna Hills, CA 92653
Tel: (949) 457-6300
Dir: (949) 457-6111
Fax: (949) 457-6305
joy@ceqa.com

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From: aduggan@co.slo.ca.us [<mailto:aduggan@co.slo.ca.us>]
Sent: Friday, November 01, 2013 7:11 PM
To: Joy Otsuki
Subject: RE: Fw: Pismo Beach DLA Transfer of Housing Assets

Hi Joy,

I didn't forget about this. I am still trying to figure out the details of how the County is involved and what particular legal entity should be named. I sent an inquiry to Dana Lilley and did not hear back from him today. I hope to be in touch early next week.

Ann Duggan, Deputy County Counsel
Office of County Counsel
County of San Luis Obispo
1055 County Government Center, Room D320
San Luis Obispo, CA 93408
(805) 781-5400 Telephone
(805) 781-4221 Faxline

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From: "Joy Otsuki" <joy@ceqa.com>
To: <bjgodwin@co.slo.ca.us>, <aduggan@co.slo.ca.us>
Cc: <jerb@co.slo.ca.us>, <tmurrayinslo@gmail.com>
Date: 10/31/2013 11:50 AM
Subject: RE: Fw: Pismo Beach DLA Transfer of Housing Assets

Hi Barbara –

I spoke with Ann, and she is going to look into this and get back to me.

Will keep you posted.

Thanks.

Joy Heuser Otsuki
Leibold McClendon & Mann, P.C.
23422 Mill Creek Drive, Suite 105
Laguna Hills, CA 92653
Tel: (949) 457-6300
Dir: (949) 457-6111
Fax: (949) 457-6305
joy@ceqa.com

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the sender that you have received this message in error and then delete it. Thank you.

From: bgodwin@co.slo.ca.us [mailto:bgodwin@co.slo.ca.us]
Sent: Thursday, October 31, 2013 11:24 AM
To: aduggan@co.slo.ca.us
Cc: jerb@co.slo.ca.us; tmurrayinslo@gmail.com; Joy Otsuki
Subject: Re: Fw: Pismo Beach DLA Transfer of Housing Assets

Ann,

Yes this is regarding the transfer of the \$1 million note to them. I would suggest contacting either Tom Murray of the DLA or Jim Erb to see if they have any insights on how it should be named. I have also sent a copy of this to Joy Otsuki who is the attorney for the DLA in case she has any knowledge of how this should be handled.

Sorry I can not be of more help.

Thank you,

Barbara Godwin
Property Tax Manager
San Luis Obispo County Office of the ACTTC
Auditor-Controller/Treasurer/Tax Collector
Phone: 805-781-1371

From: Ann Duggan/Counsel/COSLO
To: Barbara Godwin/AC/COSLO@Wings
Date: 10/28/2013 10:59 AM
Subject: Fw: Pismo Beach DLA Transfer of Housing Assets

Barbara,

Can you shed any light on the inquiry below regarding the successor entity to the Pismo RDA housing authority? Would this just be the successor agency which, as I recall, was made by the Governor's appointment?

Ann Duggan, Deputy County Counsel
Office of County Counsel
County of San Luis Obispo
1055 County Government Center, Room D320
San Luis Obispo, CA 93408
(805) 781-5400 Telephone
(805) 781-4221 Faxline

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----- Forwarded by Ann Duggan/Counsel/COSLO on 10/28/2013 10:57 AM -----

From: Whitney McDonald/Counsel/COSLO
To: Ann Duggan/Counsel/COSLO@Wings
Date: 10/28/2013 09:41 AM
Subject: Fw: Pismo Beach DLA Transfer of Housing Assets

Hi Ann,

I received this inquiry from Planning's Housing Division. It looks like we are accepting a \$1 million promissory note from the Pismo Beach RDA as part of their dissolution work out. Dana Lilley indicated that Jim Erb has been expecting this for some months. The specific question Dana got was what the correct County entity/name should be on all of the relevant title documents. I wasn't sure if there is a specific County title we should be putting on these documents given that they are part of the RDA dissolution process?

Thanks much,

Whitney

Whitney G. McDonald | Deputy County Counsel | San Luis Obispo County
1055 Monterey Street, Suite D320 | San Luis Obispo, CA 93408
Tel: (805) 781-5400 | Fax: (805) 781-4221 | wmcDonald@co.slo.ca.us

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----- Forwarded by Whitney McDonald/Counsel/COSLO on 10/28/2013 09:33 AM -----

From: Dana Lilley/Planning/COSLO
To: Whitney McDonald/Counsel/COSLO@Wings
Cc: Jim Erb/AC/COSLO@Wings
Date: 10/28/2013 07:44 AM
Subject: Fw: Pismo Beach DLA Transfer of Housing Assets

Whitney: Can you answer the questions from Joy Otsuki?

Dana Lilley, Supervising Planner
Housing & Economic Development

County of San Luis Obispo
(805) 781-5715
976 Osos Street, Room 300
San Luis Obispo, CA 9408

----- Forwarded by Dana Lilley/Planning/COSLO on 10/28/2013 07:43 AM -----

From: "Joy Otsuki" <joy@ceqa.com>
To: <dlilley@co.slo.ca.us>
Cc: <gjicha@kosmont.com>, "Tom Murray" <tmurrayinslo@gmail.com>
Date: 10/25/2013 11:11 AM
Subject: RE: Pismo Beach DLA Transfer of Housing Assets

Hi Dana –

Can you please provide me with the correct legal name of the entity that is the housing successor so I can be sure my documents are correct?

Right now I have "The County of San Luis Obispo, as Housing Successor to the former Redevelopment Agency of the City of Pismo Beach, a public body, corporate and politic, of the State of California."

I also need to know who is going to sign on the County's behalf, what their title is and whether County Counsel or the County Clerk must approve as to form. Maybe your counsel can provide a signature block?

Thanks.

Joy Heuser Otsuki
Leibold McClendon & Mann, P.C.
23422 Mill Creek Drive, Suite 105
Laguna Hills, CA 92653
Tel: (949) 457-6300
Dir: (949) 457-6111
Fax: (949) 457-6305
joy@ceqa.com

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From: dlilley@co.slo.ca.us [<mailto:dlilley@co.slo.ca.us>]
Sent: Thursday, October 24, 2013 12:34 PM
To: Joy Otsuki
Subject: Re: Pismo Beach DLA Transfer of Housing Assets

Okay, thanks.

Dana Lilley, Supervising Planner
Housing & Economic Development
County of San Luis Obispo

(805) 781-5715
976 Osos Street, Room 300
San Luis Obispo, CA 9408

[Scanned @co.slo.ca.us]

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[Scanned @co.slo.ca.us]

Joy Otsuki

From: Tom Murray <tmurrayinslo@gmail.com>
Sent: Friday, December 20, 2013 10:20 AM
To: Joy Otsuki; Chris Jicha
Subject: Fwd: Fw: DLA Note

Chris, Joy, here is an email thread regarding disposition of the note. Myabe we should have a brief conversation after youve had a chance to review the issues.

Thanks!

Tom

, ----- Forwarded message -----

From:
Date: Friday, December 20, 2013
Subject: Fw: DLA Note
To: aduggan@co.slo.ca.us
Cc: dlilley@co.slo.ca.us, tmurrayinslo@gmail.com

Ann, looks to me like HASLO is Countywide, take a look at their webpage. There most current project is Hidden Creek Village in the city of Paso Robles. They also say:

From the original small staff, running one rental assistance program, Public Housing, HASLO programs have grown to incorporate a vast array of assistance and support venues to help the families and individuals of San Luis Obispo County.

<http://www.haslo.org/>

Here is a Tribune Article that confirms Countywide status

<http://www.sanluisobispo.com/2012/09/06/2215831/housing-authority-has-new-executive.html>

Dana Lilley also told me that there is a County HA and it is his group in Planning. He said that taking this note is something they would do. I still have trouble getting through to HASLO and the director (Scott Smith) has not returned my calls, frustrating. It appears to be closed today. Scott Smith's name is not presented in the staff directory over voice mail. I will go there on Monday if I have not heard from them.

Here is the webpage I come up with when searching County Housing Authority:

http://www.slocounty.ca.gov/planning/Housing_and_Economic_Development/affordablehousing.htm

Looks like it is mostly referrals.

NOW THE QUESTION IS: How does the DLA assign the note to HASLO? There must be some kind of legal trail transferring the note and it should

probably be recorded with the County Clerk Recorder. Can we create an attachment to the Note and have People's Self Help Housing sign, the DLA and HASLO and then recorded it? Julie Rodewald is going to send me what is currently recorded, maybe that will give us a clue as to the next step. I will forward those documents on.

Tom, this is probably a question for Joy Otsuki.

James P. Erb, CPA
County Auditor-Controller
Treasurer-Tax Collector
Public Administrator
1055 Monterey St., Room D220
County Government Center
San Luis Obispo, CA 93408
(805)788-2964

From: Ann Duggan/Counsel/COSLO
To: Jim Erb/AC/COSLO@Wings
Cc: Dana Lilley/Planning/COSLO@Wings, tmurrayinslo@gmail.com
Date: 12/19/2013 05:52 PM
Subject: Re: Fw: DLA Note

Jim,

Thanks for copying me on this. I got a rather detailed voice mail yesterday from Joy Otsuki with the successor agency, whom I had emailed earlier in the day. I am OK with this -- re: the DOF's concurrence. The only lingering question I continue to have, which has not been definitively clarified in anything I have read, is whether the City of San Luis Obispo Housing Authority does in fact have jurisdiction county-wide. That is clearly the assumption that Chris Hill from the DOF is making below in point (2). At this point, if the County has no involvement in this transfer, I suppose we shouldn't care, but I thought I'd point out to all parties that it is this issue that determines who should assume the obligations on the note. If HASLO does not have jurisdiction "county-wide" for housing issues, then it shouldn't go to HASLO. You indicate that if HASLO doesn't want it the "County HA" should take it. We have come full circle on this it seems -- my initial question was: Is there a "County Housing Authority." I understood the answer to that question to be "no"?

Ann Duggan, Deputy County Counsel
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1055 County Government Center, Room D320
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From: Jim Erb/AC/COSLO
To: tmurrayinslo@gmail.com, Ann Duggan/Counsel/COSLO@Wings, Dana Lilley/Planning/COSLO@Wings
Date: 12/19/2013 05:29 PM
Subject: Fw: DLA Note

Based on the response below we should give the note to HASLO. If they will not take it then the County HA should take it. Honestly, I have had trouble getting through to HASLO, I will try again tomorrow.

Tom, do you think the DLA needs to approve the transfer or can we just give it to the right Housing Authority based on HS 34176? I am not sure how we assign it to them. If we can lets pass this on next week.

Dana, if we were giving it to the County HA what would we need to do?

James P. Erb, CPA
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Treasurer-Tax Collector
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(805)788-2964

----- Forwarded by Jim Erb/AC/COSLO on 12/19/2013 05:21 PM -----

From: "Hill, Chris" <Chris.Hill@dof.ca.gov>
To: "'jerb@co.slo.ca.us'" <jerb@co.slo.ca.us>
Cc: "Stacy, Zachary" <Zachary.Stacy@dof.ca.gov>, "Griffe, Wendy" <Wendy.Griffe@dof.ca.gov>, "Wyatt, Kelly"

<Kelly.Wyatt@dof.ca.gov>, "Dunham, Brian"
<Brian.Dunham@dof.ca.gov>, "DeAngelis, Jenny"
<Jenny.DeAngelis@dof.ca.gov>

Date: 12/19/2013 02:31 PM

Subject: RE: DLA Note

Yes, we do concur with HCD. Since there is no housing authority in Pismo Beach, the responsibility for assuming the housing duties and assets of the former Pismo Beach RDA appropriately rests with the Housing Authority of San Luis Obispo. The HCD only assumes a former RDA's housing duties when (1) the city that operated the former RDA either will not or cannot assume those housing duties, and (2) there is no countywide housing authority to assume the housing duties that the city will not or cannot perform.

From: jerb@co.slo.ca.us [mailto:jerb@co.slo.ca.us]

Sent: Tuesday, December 17, 2013 4:20 PM

To: Hill, Chris

Subject: DLA Note

Hi Chris. The Pismo DLA is trying to pass on a \$1,000,000 as a result of the RDA dissolution. We have been getting some conflicting information about whether or not the note belongs with the Housing Authority San Luis Obispo (HASLO) or the State Department of Housing and Community Development. There is not a Housing Authority within the boundaries of the DLA. We have an e-mail from the State HCD (below) which says Housing Authority of San Luis Obispo should be the successor housing authority. Does the Department of Finance agree with the e-mail below?

From: Bradley Sutton <BSutton@hcd.ca.gov>

Subject: RE: Pismo Beach RDA Housing Successor Agency

Date: August 7, 2012 1:09:37 PM PDT

To: 'Dave Fleishman' <fleishman@hflegal.net>

Cc: 'Nadia Feeser' <Nfeeser@PismoBeach.org>, 'Kevin Rice' <krice@PismoBeach.org>, Ryan Seeley <rseeley@hcd.ca.gov>

Good Afternoon Mr. Fleishman,

Thank you for your July 31, 2012 email regarding the City's opinion on which entity is the appropriate Housing Successor for the former Pismo Beach Redevelopment Agency. HCD's interpretation of how the statute applies continues to differ from the City's interpretation.

Specifically, HCD's understanding of the meaning of H&S Code Section 34176 (b)(2) "... Where there is one local housing authority in the territorial jurisdiction of the former redevelopment agency, to that local housing authority..." as applied to the County of San Luis Obispo differs from your explanation below. Our understanding that HASLO functions as a County-Wide Housing Authority, and is the proper housing successor for the former Pismo

Beach RDA is premised, in part, on direct communications with HASLO itself. Thus, absent statutory changes, our understanding is, and will continue to be that, HCD lacks any authority to act as a Housing Successor for the former Pismo Beach RDA, because, HASLO is a " local housing authority in the territorial jurisdiction of the former [Pismo Beach] redevelopment agency."

Lastly, under the Dissolution statute and under AB-1484, our understanding is that Department of Finance is vested with the authority to initially verify and confirm whether an entity has become, or should function as a Housing Successor. As such, when a question arises about HCD's authority to act as Housing Successor, we will attempt to confer with the Department of Finance regarding the same. Thus far, our communications with Department of Finance Staff continue to confirm that HCD has no authority to act as the Housing Successor for the former Pismo Beach RDA. the County has territorial jurisdiction and should be the holder of the note. The note itself is not due for many years and is non-interest bearing. The question is does the Department of Finance agree with the Housing and Community Development that this note should remain in the County?

From: Bradley Sutton <BSutton@hcd.ca.gov>
Subject: RE: Pismo Beach RDA Housing Successor Agency
Date: August 7, 2012 1:09:37 PM PDT
To: 'Dave Fleishman' <fleishman@hfllegal.net>
Cc: 'Nadia Feeser' <Nfeeser@PismoBeach.org>, 'Kevin Rice' <krice@PismoBeach.org>, Ryan Seeley <rseeley@hcd.ca.gov>

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Specifically, HCD's understanding of the meaning of H&S Code Section 34176 (b)(2) "... Where there is one local housing authority in the territorial jurisdiction of the former redevelopment agency, to that local housing authority..." as applied to the County of San Luis Obispo differs from your explanation below. Our understanding that HASLO functions as a County-Wide Housing Authority, and is the proper housing successor for the former Pismo Beach RDA is premised, in part, on direct communications with HASLO itself. Thus, absent statutory changes, our understanding is, and will continue to be that, HCD lacks any authority to act as a Housing Successor for the former Pismo Beach RDA, because, HASLO is a " local housing authority in the territorial jurisdiction of the former [Pismo Beach] redevelopment agency."

Lastly, under the Dissolution statute and under AB-1484, our understanding is that Department of Finance is vested with the authority to initially verify and confirm whether an entity has become, or should function as a Housing Successor. As such, when a question arises about HCD's authority to act as Housing Successor, we will attempt to confer with the Department of Finance regarding the same. Thus far, our communications with Department of Finance Staff continue to confirm that HCD has no authority to act as the Housing Successor for the former Pismo Beach RDA.

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[Scanned @co.slo.ca.us]

**REPORT TO THE PISMO BEACH DESIGNATED LOCAL AUTHORITY, AS
SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF
PISMO BEACH**

TO: DESIGNATED LOCAL AUTHORITY BOARD

FROM: CHRIS JICHA, SUCCESSOR AGENCY STAFF

DATE: FEBRUARY 11, 2014

SUBJECT: RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 14-15A) FOR JULY 1, 2014 THROUGH DECEMBER 31, 2014

Recommendation

It is recommended that the Pismo Beach Designated Local Authority, as Successor Agency of the Redevelopment Agency of the City of Pismo Beach (Successor Agency), adopt Resolution No. 2014-01, A Resolution of the Pismo Beach Designated Local Authority, as Successor Agency of the Redevelopment Agency of the City of Pismo Beach, Approving the Recognized Obligation Payment Schedule (ROPS 14-15A) for July 1, 2014 through December 31, 2014.

Background

As part of the dissolution of the former Redevelopment Agency, Health and Safety Code Section 34177 (added by AB 1X 26 and amended by AB 1484) requires the Successor Agency to adopt a Recognized Obligation Payment Schedule (ROPS) that lists all obligations of the former redevelopment agency that are enforceable within the meaning of subdivision (d) of Section 34171 for each six month period of each fiscal year. The Successor Agency has previously adopted ROPS for prior six-month periods. The previous ROPS have been approved by the Oversight Board to the Successor Agency of the Redevelopment Agency of the City of Pismo Beach and accepted by the State Department of Finance (DOF).

Discussion

AB 1484 requires that the ROPS for July 1, 2014 through December 31, 2014 be submitted to DOF and the State Controller's office, after approval by the Oversight Board, no later than March 3, 2014. The DOF has five (5) days after submittal to request a review and forty-five (45) days to review the ROPS if it decides to do so. If the ROPS is not submitted by the deadline, the City is subject to a \$10,000 fine for every day the ROPS is late and the administrative cost allowance for the Successor Agency is reduced by 25% after 10 days.

The attached ROPS 14-15A for July 1, 2014 through December 31, 2014 follows the form prescribed by the DOF and incorporates the obligations identified in the previous ROPS, excluding the Lucia Mar School District Agreement (discussed below). DOF has made some changes to the form, and certain items previously listed on the form have been updated.

A few changes and additions are noteworthy:

- DOF has replaced the “Report of Fund Balances” with a “Report of Cash Balances.” This page reports cash balances from all funding sources and all historical data must agree to the Successor Agency’s books and records.
- ROPS Detail Schedule – Previously retired obligations have been omitted by DOF.
- ROPS Detail Schedule – Line 7 includes \$4,000 for Oversight Board counsel hired at the last Oversight Board meeting.
- ROPS Detail Schedule – in its letter approving ROPS 13-14B, DOF commented that the administrative costs approved appeared excessive given the number and nature of the obligations listed on the ROPS. Accordingly, footnotes have been added in the “Notes” section discussing why such costs are necessary (statutory compliance and disposition of the housing asset, primarily).
- ROPS Detail Schedule, Lucia Mar Unified School District Agreement – the Lucia Mar Agreement was the subject of a Meet and Confer with DOF. Subsequent to that meeting, DOF issued a determination letter stating that the Lucia Mar Agreement was not permitted to be listed on the ROPS Detail Schedule. Accordingly, the Lucia Mar Agreement, unchanged since the Meet and Confer, is omitted from the ROPS Detail Schedule in accordance with Section 34178(a). Though Lucia Mar has filed a lawsuit in connection with the agreement, unless and until the lawsuit is resolved and/or a judgment is issued, the lawsuit does not constitute an enforceable obligation within the meaning of subdivision (d) of Section 34171. The lawsuit is disclosed in the “Notes” section.
- Prior Period Adjustment Schedule - Note that reported actual amounts are expenditures for the ROPS 13-14A period accounted for on a cash basis, and therefore may include expenditures which relate to prior periods (See attached report from the County). Staff will reconcile cash payments to the period in which they relate prior to the preparation of

the next ROPS, which will likely result in a Prior Period Adjustment in that period, which such adjustment would decrease RPTTF to be distributed to the DLA and increase property tax increment to be distributed to the taxing entities.

Attachments:

- 1) County Auditor Controller Report
- 2) Recognized Obligation Payment Schedule of the Pismo Beach Designated Local Authority, as Successor Agency of the Redevelopment Agency of the City of Pismo Beach for the period of July 1, 2014 through December 31, 2014 (ROPS 14-15A)

ZPFR_FUND_DETAIL_ALV_200710
 Date: 02/07/2014 Time: 17:30:15
 JERRB
 PRD/300
 0000000025

Year/Fund	Account	Account Name	Period	Posting Date	Text	Debit	Credit	Net Amount	Cum Amt	FI Document	Name 1
2012	4308000000	Equity Pooled Cash	12/06/30/2012	12/06/30/2012	Previous Balance	187,381.10	0.00	187,381.10	187,381.10		
2013	4308000000	Equity Pooled Cash	10/17/12/2012	10/17/12/2012		0.00	172,853.75	172,853.75	14,527.35	1001141697	
2013	4308000000	Equity Pooled Cash	4/10/01/2013	4/10/01/2013		30.36	0.00	30.36	14,557.71	1001172933	
2013	4308000000	Equity Pooled Cash	7/01/01/2013	7/01/01/2013		10.92	0.00	10.92	14,568.63	1001206678	
2013	4308000000	Equity Pooled Cash	7/01/02/2013	7/01/02/2013		30,435.00	0.00	30,435.00	45,003.63	1001200933	
2013	4308000000	Equity Pooled Cash	9/03/22/2013	9/03/22/2013		0.00	27.00	27.00	44,976.63	1001236932	
2013	4308000000	Equity Pooled Cash	10/04/01/2013	10/04/01/2013		27.58	0.00	27.58	45,004.21	1001239418	
2013	4308000000	Equity Pooled Cash	12/06/01/2013	12/06/01/2013		16,500.00	0.00	16,500.00	61,504.21	1001252220	
2013	4308000000	Equity Pooled Cash	12/06/30/2013	12/06/30/2013		29.71	0.00	29.71	61,533.92	1001268867	
2012	4308000000	AP Recon-Spec Dist	12/06/30/2012	12/06/30/2012	Previous Balance	0.00	0.00	0.00	0.00		
2013	4308000000	AP Recon-Spec Dist	12/06/30/2013	12/06/30/2013	PISMO BEACH RDA	0.00	3,453.17	3,453.17	3,453.17	1900689385	LEIBOLD MCCLENDON & MANN
2012	4308000000	Trust Dep-Principal	12/06/30/2012	12/06/30/2012	Previous Balance	0.00	0.00	0.00	0.00		
2013	4308000000	Trust Dep-Principal	10/17/12/2012	10/17/12/2012	DLA OF PISMO BEACH RDA	0.00	172,853.29	172,853.29	172,853.29		
2013	4308000000	Trust Dep-Principal	9/03/22/2013	9/03/22/2013	Pismo DLA	27.00	0.00	27.00	172,853.75	1001141697	
2012	4308000000	Fund Bal Available	12/06/30/2012	12/06/30/2012	Previous Balance	0.00	14,527.81	14,527.81	14,527.81		
2012	4308000000	Interest Revenue	12/06/30/2012	12/06/30/2012	Previous Balance	0.00	0.00	0.00	0.00		
2013	4308000000	Interest Revenue	4/10/01/2013	4/10/01/2013		0.00	30.36	30.36	30.36	1001172933	
2013	4308000000	Interest Revenue	7/01/01/2013	7/01/01/2013		0.00	10.92	10.92	41.28	1001206678	
2013	4308000000	Interest Revenue	10/04/01/2013	10/04/01/2013		0.00	27.58	27.58	68.86	1001239418	
2013	4308000000	Interest Revenue	12/06/30/2013	12/06/30/2013		0.00	29.71	29.71	98.57	1001268867	
2012	4308000000	RDA DLA-Admin Cost	12/06/30/2012	12/06/30/2012	Previous Balance	0.00	0.00	0.00	0.00		
2013	4308000000	RDA DLA-Admin Cost	7/01/02/2013	7/01/02/2013	DLA OF FIVE CITIES RPTFF	0.00	30,435.00	30,435.00	30,435.00	1001200933	
2013	4308000000	RDA DLA-Admin Cost	12/06/01/2013	12/06/01/2013	DLA OF FIVE CITIES RPTFF	0.00	16,500.00	16,500.00	46,935.00	1001252220	
2012	4308000000	Special Dept Expense	12/06/30/2012	12/06/30/2012	Previous Balance	0.00	0.00	0.00	0.00		
2013	4308000000	Special Dept Expense	12/06/30/2013	12/06/30/2013		3,453.17	0.00	3,453.17	3,453.17	1900689385	LEIBOLD MCCLENDON & MANN

2013
 001
 012
 Single value 4308000000
 /FUNDBET STD

Report output

Dynamic List Display

ZFP_FUNDDETL - Fund Detail Report

ZFP_FUNDDETL - Fund Detail Report
Report: ZFP_FUND DETAIL ALV 200710
Date: 02/07/2014 Time: 17:35:33
User: JERS
System: PRD/300

Print: PRD/300 000000052

Table with columns: Year/Fund, Account Name, Period, Pctng Date, Text, Debit, Credit, Net Amount, Cum Amt, Document No, Name 1. Contains financial data for various accounts and periods.

RESOLUTION NO. DLA-2014-01

A RESOLUTION OF THE PISMO BEACH DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PISMO BEACH, APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) 14-15A FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014, ALL AS SUBJECT TO ADOPTION BY THE OVERSIGHT BOARD

WHEREAS, the Pismo Beach Designated Local Authority, as Successor Agency to the Redevelopment Agency of the City of Pismo Beach ("DLA"), has been established to take actions to wind down the affairs of the former Redevelopment Agency of the City of Pismo Beach in accordance with the California Health and Safety Code; and

WHEREAS, the Health and Safety Code requires the Successor Agency to prepare and adopt a series of "Recognized Obligation Payment Schedules" that list all obligations of the former redevelopment agency that are enforceable within the meaning of subdivision (d) of Section 34167; and

WHEREAS, the DLA desires to approve the Recognized Obligation Payment Schedule (ROPS) 14-15A for the Period of July 1, 2014 through December 31, 2014; and

WHEREAS, the Health and Safety Code provides that any ROPS be approved by the Oversight Board for any Successor Agency, and the Oversight Board for the DLA will meet subsequent to the date of this meeting; and

WHEREAS, the DLA desires to approve the Recognized Obligation Payment Schedule (ROPS) 14-15A for the Period of July 1, 2014 through December 31, 2014, subject to the approval thereof by the Oversight Board; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF PISMO BEACH, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. The DLA hereby approves (i) the Schedule attached hereto as Exhibit A as the Recognized Obligation Payment Schedule 14-15A for July 1, 2014 through December 31, 2014, which such ROPS is approved subject to the approval thereof by the Oversight Board. Pursuant to Health & Safety Code Section 34173, the

Successor Agency's liability, including (but not limited to) its liability for the obligations on the attached schedules, is limited to the total sum of property tax revenues it receives pursuant to Part 1.85 of AB X1 26.

SECTION 3. Chris Jicha, or his designee, or any other person employed by Kosmont Companies, is hereby authorized to make such changes as necessary prior to submitting the ROPS to the Oversight Board for its approval, to submit the ROPS to the Oversight Board and such parties as may be required in accordance with the Health & Safety Code, and to take such other actions with respect to the ROPS as may be necessary in accordance with applicable law.

SECTION 4. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable. The DLA hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 5. This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED at a special meeting of the Pismo Beach Designated Local Authority, as Successor Agency to the Redevelopment Agency of the City of Pismo Beach, held this 11th day of February, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson, Pismo Beach Designated
Local Authority, as Successor Agency to
the Redevelopment Agency of the City of
Pismo Beach

ATTEST:

Secretary