



**Sacramento
Housing &
Redevelopment
Agency**

**REPORT TO REDEVELOPMENT AGENCY
City of Sacramento
915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org**

Consent
December 15, 2009

Honorable Chair and Members of the Redevelopment Agency Board

Title: Administrative Matter: 2010 Sacramento Housing and Redevelopment Agency (SHRA) Budget

Location/Council District: Citywide

Recommendation: Adopt a **Redevelopment Agency Resolution** 1) authorizing the Executive Director, or designee, to amend the Agency budget as necessary to facilitate the 2009-10 Supplemental Revenue Augmentation Fund (SERAF) payment, 2) authorizing the Executive Director, or designee, to re-appropriate the 2008-09 Educational Revenue Augmentation Fund (ERAF) payment or the 2009-10 SERAF payment to SHRA operating budgets should those State mandated payments no longer be required, 3) authorizing the Executive Director, or designee, to take all actions necessary to extend by one year the effective date of all redevelopment plans and the time limit to repay debt, 4) authorizing the Executive Director, or designee, to take all actions necessary as outlined in the attached resolution, and 5) making related findings.

Contact: LaShelle Dozier, Executive Director, 440-1333; Don Cavier, Finance Director, 440-1399, ext. 1220

Presenters: none

Department: Sacramento Housing and Redevelopment Agency

Description/Analysis

Issue: The annual budget of the Sacramento Housing and Redevelopment Agency (Agency) was approved on November 3, 2009. At that time, the information related to SERAF and ERAF was included in the staff report and the SERAF resolution was attached but the recommendation language was inadvertently omitted.

Policy Considerations: It is in the best interest of the Agency to preserve and ensure a clear and concise legislative history.

Environmental Considerations:

California Environmental Quality Act (CEQA): N/A

Sustainability Considerations: N/A

Other: N/A

Rationale for Recommendation: Approval of the recommendations in the report will correct the administrative record for this item.

Financial Considerations: N/A

M/WBE Considerations: N/A

Respectfully Submitted by: 
LASHELLE DOZIER
Executive Director

Recommendation Approved:


RAY KERRIDGE
City Manager

Table of Contents

Report pg. 1

Attachments

1. Redevelopment Agency Resolution pg. 3

RESOLUTION NO. 2009 -

Adopted by the Redevelopment Agency of the City of Sacramento

on date of

2009-2010 SUPPLEMENTAL EDUCATION REVENUE AUGMENTATION FUND (SERAF) PAYMENT; AUTHORIZATION TO AMEND 2009-2010 BUDGET AS NECESSARY AND RELATED FINDINGS; AUTHORIZATION TO EXTEND TIME LIMIT OF REDEVELOPMENT PLANS AND REPAYMENT OF DEBT UPON FULL AND TIMELY SERAF PAYMENT

BACKGROUND

- A. Faced with a historical economic downturn, the State of California has looked to local government to help balance the State budget. AB 26 (4th Ex. Session.); Chapter 21 Statutes of 2009-10 Fourth Extraordinary Session, requires the Redevelopment Agency of the City and the Redevelopment Agency of the County (hereafter Agency) to submit payment pursuant to Health and Safety Code 33690 (a). The payment is to be deposited in the county "Supplemental Educational Revenue Augmentation Fund" (SERAF) to be distributed to meet the State's Proposition 98 obligations to schools.
- B. AB 1389 Chapter 751, Statutes of 2008 required the Agency to make a payment to the Educational Revenue Augmentation Fund (ERAF) for the 2008-2009 fiscal year. The California Redevelopment Association successfully challenged the constitutionality of that ERAF payment
- C. The Agency is jointly administered by the Sacramento Housing and Redevelopment Agency (SHRA) and faces an unprecedented tax increment shift of \$19.6 million in FY 2009-10 and another \$4 million in FY 2010-11.
- D. For the 2009-2010 SHRA fiscal year, the Agency has insufficient non housing tax increment funds to meet the SERAF obligation and the reduction of funds to the Agency Low Moderate Income Housing Fund(s) caused by the suspension or borrowing of those funds will not impair existing executed contracts. Health and Safety Code Sections 33334.2 (k) and 33690 (c) authorizes the Agency to suspend or borrow all or part of its required 2009-2010 allocation of Low and Moderate Income Housing Fund(s) to make the SERAF payment.
- E. "Existing indebtedness" means bonds, notes, interim certificates, debentures, credit lines or other obligations of the Agency whether funded, refunded, assumed or otherwise, loans or moneys advanced to the Agency from federal, state, local agencies or private entities, contractual obligations that if breached

could subject the Agency to damages or liability or any other obligation that has been entered into prior to the effective date of AB 26 (4th Ex. Session).

- F. The requirement to make the SERAF payment is an obligation and payment which is subordinate to the lien of any pledge of collateral securing the payment of bonds of the Agency, or any other "existing indebtedness" incurred prior to the effective date of AB 26 (4th Ex. Session).
- G. Should the 2009-2010 SERAF obligation of the Agency be timely paid in full, Health and Safety Code Section 33331.5 authorizes the Agency through a streamlined plan amendment process to extend by one year the effective date of the redevelopment plan and the time limit to repay debt for each of its project areas.
- H. The proposed action to make the 2009-2010 SERAF payment does not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA), as provided in the CEQA guidelines Section 15378 (b)(4).

BASED ON THE FACTS AS SET FORTH IN THE BACKGROUND, THE REDEVELOPMENT AGENCY RESOLVES AS FOLLOWS:

- Section 1. All the evidence presented having been duly considered the findings, including the environmental findings regarding this action, as stated above are approved.
- Section 2. The Agency considers existing indebtedness, as defined above, obligated prior to the effective date of AB 26 (4th Ex. Session), to be superior to the 2009-2010 SERAF payment.
- Section 3. The Executive Director, or designee, is authorized to amend the SHRA budget as necessary and to transfer funds among operating budgets or project budgets to facilitate the 2009-2010 SERAF payment.
- Section 4. The Executive Director, or her designee, is authorized to re-appropriate funds allocated to make the 2008-2009 ERAF payment or the 2009-2010 SERAF payment to SHRA operating budgets or project budgets, should those State mandated payments no longer be required.
- Section 5. Upon a full and timely 2009-2010 SERAF payment, the Executive Director, or designee, is directed to take all necessary action to amend Agency redevelopment plans to extend by one year the effective date of the redevelopment plan and the time limit to repay debt for each of its project areas.