

Attachment A

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**Before the
Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No.

Approving Certain Documents Relating to the)
Issuance of Bonds by the Fort Ord Reuse)
Authority to Finance Projects within the)
Boundaries of the County.)

WHEREAS, the Fort Ord Reuse Authority (the “Authority”) is a public corporation of the State of California duly formed and presently existing and exercising its powers pursuant to the Fort Ord Reuse Authority Act, Title 7.85 of the Government Code (commencing with Section 67650) (the “Authority Act”); and

WHEREAS, pursuant to Section 67675 of the Authority Act, the Authority has prepared and adopted the Fort Ord Reuse Plan; and

WHEREAS, pursuant to Section 67679 of the Authority Act, the Authority has designated certain base-wide public capital improvements to be planned, designed, constructed, repaired, remodeled, or replaced, and financed by the Authority in conformance with the Fort Ord Reuse Plan, specifically including the cost of waste characterization, abatement, building demolition, building removal, building repair, waste disposal, and remediation of buildings and building sites located at certain parcels of property within the boundaries of the former Fort Ord, which shall further include, without limitation, all costs of planning, engineering, management, risk management (including insurance premiums), and associated administrative services required to remove blighted buildings from certain parcels of property within the boundaries of the former Fort Ord (collectively, the “Project”); and

WHEREAS, the Authority is authorized by Section 67679(d)(9) of the Authority Act to issue bonds pursuant to the Marks-Roos Local Bond Pooling Act of 1985 (commencing with Government Code section 6584) (the “Marks-Roos Act”) to finance the Project; and

WHEREAS, the Authority is authorized pursuant to Section 6592(a) of the Marks-Roos Act to pledge to the payment of the Bonds any moneys of the Authority, including without limitation the portion of property tax revenues allocated to the Authority pursuant to California Health and Safety Code Section 33492.71(c)(1)(A) and (D), as applicable; and

WHEREAS, in order to finance all or a portion of the Project, the Authority is proceeding to issue one or more series of tax allocation revenue bonds (the “Bonds”); and

WHEREAS, in connection with the issuance of the Bonds, the Authority has requested that the County approve the following documents:

- Irrevocable Direction to Transfer Funds (the “Irrevocable Direction”) given by the Authority to the County Auditor-Controller and the County Treasurer-Tax Collector relating to the disposition of future tax increment revenue to be paid to FORA and its successor under the California Health and Safety Code, which will be derived from the Seaside-Fort Ord Project Area, and the Marina Redevelopment Project No. 3; and

- A certificate (the “Bond Certificate”) to be executed by the County in connection with the sale and issuance of the Bonds; and

WHEREAS, the Bonds will not be an obligation of the County, and the County intends to execute the Irrevocable Direction and Bond Certificate, solely to facilitate the sale and issuance of the Bonds by the Authority, and at the request of the Authority;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Monterey as follows:

1. The foregoing recitals are true and correct.

2. The Board of Supervisors hereby authorizes and approves the Bond Certificate in substantially the form on file with the Clerk of the Board. The Chair of the Board, any other member of the Board as the Chair may designate, the County Administrative Officer, the County Auditor-Controller, the County Treasurer-Tax Collector, and any such other officer of the County as such officers may designate (the “Authorized Officers”), are each hereby authorized, and any one of the Authorized Officers is hereby directed, for and in the name of the County, to execute and deliver the Bond Certificate in the form submitted to this meeting, with such changes, insertions and omissions as any Authorized Officer may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Bond Certificate. The Board hereby authorizes the delivery of the Bond Certificate.

3. The Board of Supervisors hereby authorizes and approves the Irrevocable Direction in substantially the form on file with the Clerk of the Board. The County Auditor-Controller and the County Treasurer-Tax Collector are hereby authorized to execute and deliver the Irrevocable Direction in the form submitted to this meeting of the Board of Supervisors, with such changes, insertions and omissions as any Authorized Officer may require or approve, such requirement or approval to be conclusively evidenced by the execution of the Irrevocable Direction by the County Auditor-Controller and the County Treasurer-Tax Collector. The Board hereby authorizes the delivery and performance of the Irrevocable Direction.

4. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED upon motion of Supervisor _____, seconded by Supervisor _____ and carried this ____ day of _____ by the following vote, to wit:

AYES:
NOES:
ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book.____ for the meeting on _____.

Dated:
File Number:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By: _____
Deputy

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