

**AGENDA
MEETING OF THE
OVERSIGHT BOARD TO THE SUCCESSOR AGENCY
TO THE DISSOLVED YUCCA VALLEY REDEVELOPMENT AGENCY
WEDNESDAY, FEBRUARY 25, 2015, 7:30 A.M.
MESQUITE ROOM, YUCCA VALLEY COMMUNITY CENTER**

The Town of Yucca Valley complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the Town Clerk's Office at 369-7209 at least 48 hours prior to the meeting.

If you wish to comment on any subject on the agenda, or any subject not on the agenda during public comments, please fill out a card and give it to the Town Clerk. The Chair will recognize you at the appropriate time. Comment time is limited to 3 minutes.

(WHERE APPROPRIATE OR DEEMED NECESSARY, ACTION MAY BE TAKEN ON ANY ITEM LISTED IN THE AGENDA)

OPENING CEREMONIES

CALL TO ORDER

ROLL CALL: Board Members Benfield, Cooper, Dunn, Rogers, Stueckle and Rowe.
(Morongo Basin Unified School District- Vacant)

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Action: Move _____ 2nd _____ Voice Vote _____

MINUTES

1. Minutes of the meeting of September 17, 2014

Recommendation: Approve the meeting minutes for September 17, 2014 as presented

Action: Move _____ 2nd _____ Roll Call Vote _____

DEPARTMENT REPORTS

2. Recognized Obligation Payment Schedule ("ROPS")

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF**

THE TOWN OF YUCCA VALLEY, CALIFORNIA APPROVING AND ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) PURSUANT TO HEALTH AND SAFETY CODE § 34176 AND TRANSMITTING THE ROPS TO THE NECESSARY AGENCIES

Staff Report

Recommendation:

1. Approve the Resolution adopting the Recognized Obligation Payment Schedule (“ROPS”) for the period from July 1, 2015 through December 31, 2015.
2. Direct staff to post the schedule on the Town’s website and to deliver the ROPS to the Oversight Board, San Bernardino County Auditor-Controller, State Controller and to the State Department of Finance.

Action: Move _____ 2nd _____ Roll Call Vote _____

3. Transfer of Approved Recognized Obligation Payment Schedule Funds- Park Acquisition Project

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE TOWN OF YUCCA VALLEY, CALIFORNIA AUTHORIZING THE PAYMENT OF UNSPENT BOND FUNDS AS APPROVED BY THE OVERSIGHT BOARD TO THE AGENCY AND THE CALIFORNIA DEPARTMENT OF FINANCE ON THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) FOR THE FY 2014-15B PERIOD AND MAKING THE NECESSARY FINDINGS AS REQUIRED BY HSC 33445

Staff Report

Recommendation: Adopt the Resolution approving the transfer of funds in accordance with the 2014-15B Recognized Obligation Payment Schedule as approved by the Oversight Board to the Agency and the California Department of Finance and concurring with the necessary findings pursuant to HSC 33445.

Action: Move _____ 2nd _____ Voice Vote _____

FUTURE AGENDA ITEMS

PUBLIC COMMENTS

In order to assist in the orderly and timely conduct of the meeting, the Oversight Board takes this time to consider your comments on items of concern which are on the Closed Session or not on the agenda. When you are called to speak, please state your name and community of residence. Please limit your comments to three (3) minutes or less. Inappropriate behavior which disrupts, disturbs or otherwise impedes the orderly conduct of the meeting will result in forfeiture of your public comment privileges. The Oversight Board is prohibited by State law from taking action or discussing items not included on the printed agenda.

STAFF REPORTS AND COMMENTS

BOARD MEMBER REPORTS AND COMMENTS

- Board Member Benfield
- Board Member Cooper
- Board Member Dunn
- Board Member Rogers
- Board Member Rowe
- Board Member Stueckle
- Board Member Morongo Unified School District (vacant)

ANNOUNCEMENTS

Time, date and place for the next Oversight Board meeting.

ADJOURNMENT

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY
OF THE DISSOLVED YUCCA VALLY REDEVELOPMENT AGENCY
MEETING MINUTES
SEPTEMBER 17, 2014**

Chair Rowe called the meeting to order at 8:35 a.m.

ROLL CALL

Board Members present were: Cooper, Dunn, Rogers, Stueckle and Chair Rowe. Board Member Benfield was absent. (Morongo Unified School District representation is currently vacant.)

Staff members present were: Town Manager Yakimow, Senior Accountant Cisneros, and Town Clerk Copeland

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Dunn.

APPROVAL OF AGENDA

Board Member Rogers approved the meeting agenda. Board Member Cooper seconded. Motion carried 5-0-2 on a roll call vote.

AYES: Board Members Cooper, Dunn, Rogers, Stueckle and Chair Rowe

NOES: None

ABSTAIN: None

ABSENT: Benfield, MUSD (Vacant)

MINUTES

1. Board Member Dunn moved to approve the minutes of the Oversight Board Meeting of February 28, 2014 as presented. Board Member Cooper seconded. Motion carried 5-0-2 on a roll call vote.

AYES: Board Members Cooper, Dunn, Rogers, Stueckle and Chair Rowe

NOES: None

ABSTAIN: None

ABSENT: Benfield, MUSD (Vacant)

DEPARTMENT REPORTS

2. Dissolution Update and FY 2014-16 Budget Authorization

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE DISSOLVED YUCCA VALLEY REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2014-16

Town Manager Yakimow presented the staff report on the item.

Board Member Dunn moved to receive the verbal update from staff and approve the Resolution No. OB-14-02 approving the administrative budget for the Successor Agency for the 2014-16 fiscal years. Board Member Cooper seconded. Motion carried 5-0-2 on a roll call vote.

AYES: Board Members Cooper, Dunn, Rogers, Stueckle and Chair Rowe

NOES: None

ABSTAIN: None

ABSENT: Benfield, MUSD (Vacant)

3. Recognized Obligation Payment Schedule ("ROPS")

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE TOWN OF YUCCA VALLEY, CALIFORNIA APPROVING AND ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE ("ROPS") PURSUANT TO HEALTH AND SAFETY CODE § 34176 AND TRANSMITTING THE ROPS TO THE NECESSARY AGENCIES

Town Manager Yakimow presented the staff report on the item.

Board Member Cooper requested confirmation that the bond proceeds continue to be used for the purpose that the bonds were issued.

Board Member Cooper moved to approve Resolution No.OB-14-03 adopting the Recognized Obligation Payment Schedule (“ROPS”) for the period from January 2, 2015 through June 30, 2015, and to direct staff to post the schedule on the Town’s website and to deliver the ROPS to the San Bernardino County Auditor-Controller, State Controller, and to the State Department of Finance. Board Member Dunn seconded. Motion Carried 5-0-2 on a roll call vote.

AYES: Board Members Cooper, Dunn, Rogers, Stueckle and Chair Rowe

NOES: None

ABSTAIN: None

ABSENT: Benfield, MUSD (Vacant)

4. Repayment of Supplemental Educational Revenue Augmentation Fund

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE TOWN OF YUCCA VALLEY, CALIFORNIA SETTING FORTH CERTAIN FINDINGS WITH RESPECT TO THE SERAF LOAN BETWEEN THE FORMER YUCCA VALLEY REDEVELOPMENT AGENCY AND THE TOWN OF YUCCA VALLEY IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 34191.4 AND APPROVING A REPAYMENT SCHEDULE FOR THE SERAF LOAN IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 34171(D)(1)(G)

Town Manager Yakimow presented the staff report on the item.

Board Member Cooper moved to adopt Resolution No. OB-14-04 setting forth certain findings with respect to the SERAF loan between former Redevelopment Agency and the Town of Yucca Valley in accordance with Health and Safety Code Section 34191.4 and approving a repayment schedule for the SERAF loan in accordance with Health and Safety Code Section 34171(D)(1)(G). Board Member Rogers seconded. Motion carried 5-0-2 on a roll call vote

AYES: Board Members Cooper, Dunn, Rogers, Stueckle and Chair Rowe

NOES: None

ABSTAIN: None

ABSENT: Benfield, MUSD (Vacant)

5. Implementation of the Department of Finance Approved Long Range Property Management Plan (LRPMP) for the Successor Agency to the Dissolved Yucca Valley Redevelopment Agency

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING IMPLEMENTATION OF THE LONG RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE §34919.5 AND FILING AND RECORDING OF GRANT DEEDS TRANSFERRING PROPERTIES TO THE TOWN OF YUCCA VALLEY

Town Manager Yakimow presented the staff report on the item.

Board Member Dunn abstained from voting, due to being a property owner within 300 feet of one of the properties.

Board Member Cooper moved to:

1. Approve Resolution No. OB-14-05 to approve and authorize the Town Manager or designee to implement the Long Range Property Management Plan (LRPMP) as approved by the State of California Department of Finance.
2. Approve and authorize the filing and recording of the grant deeds with the San Bernardino County Office of the Assessor transferring the properties listed in the LRPMP to the Town of Yucca Valley (Town) in accordance with the approved Long Range Property Management Plan (LRPMP), upon final action of the State of California Department of Finance.

Board Member Rogers seconded. Motion carried 4-0-1-2 on a roll call vote.

AYES: Board Members Cooper, Rogers, Stueckle and Chair Rowe

NOES: None

ABSTAIN: Dunn

ABSENT: Benfield, MUSD (Vacant)

PUBLIC COMMENT

Chair Rowe opened public comments. With no members of the public wishing to speak, public comments were closed.

ADJOURNMENT

There being no further business, Chair Rowe adjourned the meeting at 8:55 a.m.

Respectfully submitted,

Lesley Copeland, CMC

Town Clerk

The attached ROPS reflects the time frame of July 1 – December 31, 2015, and includes the most recent information and funding structures applicable to the given time frame. This preliminary schedule is to be completed, approved and sent to the State Controller's Office, State Department of Finance, and the County Auditor/Controller/Tax Collector by March 3, 2015, after review and approval. Payment for the qualified obligations during this period will be distributed by the County on or about June 1, 2015.

Changes

The current ROPS schedule includes five primary line items:

1. Debt Service Payments – RDA Bonds
2. Administrative Allowance
3. Annual Bond Administration Fees
4. Annual Continuing Disclosure Fees
5. Facility Needs Assessment Study

According to the Department of Finance, the Governor's Budget Proposal includes proposed legislation affecting the Redevelopment Dissolution Process. The scheduled transition to a countywide Oversight Board on July 1, 2016, has been determined to be too cumbersome in most counties. The proposed legislation creates a "Last and Final" ROPS corresponding with the six month period from January 1 through June 30, 2016. Once approved, the Successor Agency would no longer submit a ROPS in future periods. The County Auditor-Controller will remit funds to the Successor agency in accordance with the Last and Final ROPS until the Enforced Obligations are paid in full.

Alternatives: None recommended

Fiscal impact: Under AB 26, the Successor Agency may only pay the enforceable obligations of the former Agency listed on the ROPS. The intent of the ROPS is to identify all enforceable obligations of the former Agency payable July 1 – December 31, 2015.

Attachments: Resolution with ROPS.

RESOLUTION NO. OB-

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE TOWN OF YUCCA VALLEY, CALIFORNIA APPROVING AND ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) PURSUANT TO HEALTH AND SAFETY CODE § 34176 AND TRANSMITTING THE ROPS TO THE NECESSARY AGENCIES

WHEREAS, the Yucca Valley Redevelopment Agency (“Redevelopment Agency”) is a public body, corporate and politic, organized and existing under the California Community Redevelopment Law (Health & Safety Code §§ 33000 *et seq.*); and

WHEREAS, the Town of Yucca Valley is a municipal corporation and a general law city organized and existing under the Constitution of the State of California (“City”); and

WHEREAS, on December 29, 2011, the California Supreme Court issued its opinion in the case *California Redevelopment Association, et al. v. Ana Matosantos, etc., et al.*, Case No. S196861, and upheld the validity of Assembly Bill 1x26 (“AB1x26”) and invalidated Assembly Bill 1x27; and

WHEREAS, the Court’s decision results in the implementation of AB1x26 which dissolves all the redevelopment agencies in the State of California as of February 1, 2012; and

WHEREAS, the Town is, by operation of law, the Successor Agency to the Redevelopment Agency for purposes of winding-down the Redevelopment Agency under AB1x26; and

WHEREAS, pursuant to a provision of AB1x26, codified as Health and Safety Code Section 34177, the Town as Successor Agency is required to adopt the Recognized Obligations Payment Schedule on an ongoing basis; and

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

NOW, THEREFORE, the Oversight Board to the Successor Agency to the Dissolved Yucca Valley Redevelopment Agency, resolves as follows:

Section 1. The foregoing Recitals are true and correct and are incorporated herein.

Section 2. The initial ROPS, attached hereto and incorporated herein by reference as Exhibit “A”, is hereby received and adopted pursuant to Health & Safety Code Section 34177.

Section 3. The Town Manager/Executive Director, Finance Manager or his designee is hereby directed to post this Resolution and the ROPS on the Successor Agency's website and to provide notice of adoption of the ROPS by the Successor Agency to the County auditor-controller, the State Controller and the State Department of Finance and Oversight Board. A notification providing the website location of the posted schedules and notifications of any amendments shall suffice to meet this requirement.

Section 4. The Town Manager/Executive Director, Finance Manager or his designee is hereby directed to amend and resubmit the ROPS on the Successor Agency's website and to provide notice of adoption of the ROPS by the Successor Agency to the County auditor-controller, the State Controller and the State Department of Finance and Oversight Board, as needed, to reflect the most current financial and operational interpretations and conditions as provided by the State Department of Finance, State Controller's Office, San Bernardino County Auditor-Controller/Treasurer/Tax Collector, and Town/Agency legal counsel.

PASSED, APPROVED, AND ADOPTED this 25th day of February, 2015.

CHAIR, OVERSIGHT BOARD

ATTEST:

SECRETARY, OVERSIGHT BOARD

EXHIBIT A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
FY 2015-16A – July – December 2015

[Attached behind this page]

Recognized Obligation Payment Schedule (ROPS 15-16A) - Summary
 Filed for the July 1, 2015 through December 31, 2015 Period

Name of Successor Agency: Yucca Valley
 Name of County: San Bernardino

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A	Sources (B+C+D):	\$ 65,000
B	Bond Proceeds Funding (ROPS Detail)	65,000
C	Reserve Balance Funding (ROPS Detail)	-
D	Other Funding (ROPS Detail)	-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 390,529
F	Non-Administrative Costs (ROPS Detail)	265,529
G	Administrative Costs (ROPS Detail)	125,000
H	Current Period Enforceable Obligations (A+E):	\$ 455,529

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	390,529
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	-
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 390,529

County Auditor Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	390,529
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	390,529

Certification of Oversight Board Chairman:
 Pursuant to Section 34177 (m) of the Health and Safety code, I
 hereby certify that the above is a true and accurate Recognized
 Obligation Payment Schedule for the above named agency.

 Name
 /s/
 Signature

 Title

 Date

Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail
 July 1, 2015 through December 31, 2015
 (Report Amounts in Whole Dollars)

Item #	Project Name / Debt Obligation	C	D	E	F	G	H	I	J	K	L	M	N	O	P												
																Funding Source											
																RPTTF											
Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total															
1	2008 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	6/7/2008	6/30/2038	Bank of New York	Debt Service	One	\$ 553,695	N	\$ 65,000	\$ -	\$ -	\$ 265,529	\$ 125,000	\$ 455,529												
3	Successor Agency Administration	Admin Costs	7/1/2015	12/31/2015	Town of Yucca Valley	Personnel and other administrative costs	One		N				261,179		261,179												
15	SERAF Repayment	SERAF/ERAF	6/30/2010	6/30/2014	Town of Yucca Valley	Repayment of SERAF payable not paid due to prior ROPS shortfall	One	553,695	N					125,000	125,000												
16	Youth Sports Park Project	Improvement/Infrastructure	7/1/2014	6/30/2015	Town of Yucca Valley	Youth Sports Park construction completion			N																		
17	SA Buildings Code Compliance	Property Maintenance	7/1/2014	6/30/2015	Town of Yucca Valley	Sign Removal for Code Compliance Deficiencies/APN# 0595-162-09			Y																		
18	SA Building Code Compliance	Property Maintenance	7/1/2014	6/30/2015	Town of Yucca Valley	Maintenances for Code Compliance Deficiencies/APN# 0595-162-09			Y																		
19	SA Building Code Compliance	Property Maintenance	7/1/2014	6/30/2015	Town of Yucca Valley	Maintenances for Code Compliance Deficiencies/APN# 0595-162-09			Y																		
20	SA Building Code Compliance	Property Maintenance	7/1/2014	6/30/2015	Town of Yucca Valley	Building Demolition/APN# 0586-101-08			Y																		
21	2008 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	6/7/2008	6/30/2038	Bank of New York	Annual Bond Admin Fees	One		N				2,100		\$ 2,100												
22	2008 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	6/7/2008	6/30/2038	William Financial Services	Annual Continuing Disclosure Prep Fees	One		N				2,250		\$ 2,250												
23	Facility Needs Assessment Study	Professional Services	7/1/2015	6/30/2016	Gillis & Panichapan Architects, Inc.	Facility Needs Assessment Study	One		N	65,000					\$ 65,000												
24									N						\$ -												
25									N						\$ -												
26									N						\$ -												
27									N						\$ -												
28									N						\$ -												

Recognized Obligation Payment Schedule (ROPS 15-16A) - Report of Cash Balances

(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I				
									Fund Sources			
									Bond Proceeds		Reserve Balance	
Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS period balances RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin							
Cash Balance Information by ROPS Period												
ROPS 14-15A Actuals (07/01/14 - 12/31/14)												
1	Beginning Available Cash Balance (Actual 07/01/14)	4,246,007		389,020			11,665					
2	Revenue/Income (Actual 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014							123,254				
3	Expenditures for ROPS 14-15A Enforceable Obligations (Actual 12/31/14) RPTTF amounts. H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q			265,791			125,000					
4	Retention of Available Cash Balance (Actual 12/31/14) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)											
5	ROPS 14-15A RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15A PPA in the Report of PPA, Column S											
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 4,246,007	\$ -	\$ 123,229	\$ -	\$ -	\$ 9,919	\$ -	\$ -			
ROPS 14-15B Estimate (01/01/15 - 06/30/15)												
7	Beginning Available Cash Balance (Actual 01/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 4,246,007	\$ -	\$ 123,229	\$ -	\$ -	\$ 9,919	\$ -	\$ -			
8	Revenue/Income (Estimate 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015							558,200				
9	Expenditures for ROPS 14-15B Enforceable Obligations (Estimate 06/30/15)	500,000		123,229			568,119					
10	Retention of Available Cash Balance (Estimate 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)											
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ 3,746,007	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -			

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see https://rad.dof.ca.gov/rad-sa/pdf/Cash_Balance_Agency_Tips_Sheet.pdf.

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE
DISSOLVED YUCCA VALLEY REDEVELOPMENT AGENCY
STAFF REPORT**

To: Honorable Chair & Board Members

From: Curtis Yakimow, Town Manager

Date: February 19, 2015

Board Meeting: February 25, 2015

Subject: Transfer of Approved Recognized Obligation Payment Schedule Funds
Park Acquisition Project




Recommendation: That the Board adopt the resolution approving the transfer of funds in accordance with the 2014-15B Recognized Obligation Payment Schedule as approved by the Oversight Board to the Agency and the California Department of Finance and concurring with the necessary findings pursuant to HSC 33445 by both the Town and the Successor Agency.

Order of Procedure:

- Staff Report
- Public Comment
- Questions of Staff
- Agency Discussion
- Motion/Second
- Discussion on Motion
- Roll Call Vote

Discussion: In July of 2011, the Governor signed, AB1x 26 and AB1x 27, and in December 2011, the California Supreme Court upheld the legislation. The result of this decision is all redevelopment agencies were dissolved effective February 1, 2012. As a matter of law, the Town of Yucca Valley is now the successor agency to the former Yucca Valley Redevelopment Agency ("Agency").

On February 17, 2015, the Yucca Valley Town Council and Successor Agency adopted resolutions approving the acquisition of the Brehm Youth Sports Park from the Basin Wide Foundation. This transaction is intended to be funded through the use of prior Yucca Valley Redevelopment Agency bond funds.

Reviewed By:	 Town Manager	_____ Town Attorney	 Finance Manager	 Department
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<input checked="" type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input type="checkbox"/> Resolution Action	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Consent	<input type="checkbox"/> Minute Action	<input checked="" type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

In accordance with AB1x 26, AB1x 27, AB 1484 and other pertinent legislation, the Successor Agency identified the proposed transaction on the FY 2014-15B Recognized Obligation Payment Schedule and submitted such schedule for both Oversight Board and Department of Finance approval. Such approvals were granted September 17, 2014 and November 5, 2014 respectively.

The attached resolution specifies and supports the necessary findings as required by Health and Safety Code 33445 for the pending transaction. A similar resolution has been approved by the Town of Yucca Valley and the Successor Agency. In accordance with HSC 33445 (b) (1), "The determinations made by the agency and the local legislative body pursuant to subdivision (a) shall be final and conclusive. While not specifically required by state legislation, the recommended action for the Board is to concur with those findings.

Alternatives: None recommended.

Fiscal impact: The proposed transaction will provide bond proceeds in the amount of \$430,000 to the Town of Yucca Valley for the Brehm Youth Sports Park Acquisition as previously approved by the Oversight Board and by the California Department of Finance.

RESOLUTION NO. OB-

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE TOWN OF YUCCA VALLEY, CALIFORNIA AUTHORIZING THE PAYMENT OF UNSPENT BOND FUNDS AS APPROVED BY THE OVERSIGHT BOARD TO THE AGENCY AND THE CALIFORNIA DEPARTMENT OF FINANCE ON THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) FOR THE FY 2014-15B PERIOD AND CONCURRING WITH THE NECESSARY FINDINGS MADE BY THE TOWN OF YUCCA VALLEY AND THE SUCCESSOR AGENCY AS REQUIRED BY HSC 33445

WHEREAS, the Yucca Valley Redevelopment Agency (“Redevelopment Agency”) is a public body, corporate and politic, organized and existing under the California Community Redevelopment Law (Health & Safety Code §§ 33000 *et seq.*); and

WHEREAS, the Town of Yucca Valley is a municipal corporation and a general law city organized and existing under the Constitution of the State of California (“City”); and

WHEREAS, on December 29, 2011, the California Supreme Court issued its opinion in the case *California Redevelopment Association, et al. v. Ana Matosantos, etc., et al.*, Case No. S196861, and upheld the validity of Assembly Bill 1x26 (“AB1x26”) and invalidated Assembly Bill 1x27; and

WHEREAS, the Court’s decision results in the implementation of AB1x26 which dissolves all the redevelopment agencies in the State of California as of February 1, 2012; and

WHEREAS, the Town is, by operation of law, the Successor Agency to the Redevelopment Agency for purposes of winding-down the Redevelopment Agency under AB1x26 and subsequent related legislation; and

WHEREAS, pursuant to Health and Safety Code Section 34191.1, the related provisions of the Code apply as the Town as Successor Agency received a finding of completion dated March 14, 2013 by the Department of Finance pursuant to Section 34179.7; and

WHEREAS, pursuant to Health and Safety Code Section 34191.4 (c) (1) Bond proceeds derived from bonds issued on or before December 31, 2010 shall be used for the used for the purposes for which the bonds were sold; and

WHEREAS, the contribution of Bond proceeds to the Town of Yucca Valley for the Brehm Youth Sports Park in consistent with the purposes for which the bonds, identified in part as for property acquisition, public infrastructure construction, and park improvements, and are contiguous to and for the benefit of the Redevelopment Project; and

WHEREAS, the contribution of Bond proceeds to the Town of Yucca Valley for the Brehm Youth Sports Park acquisition was listed on the FY 2014-15B Recognized Obligation Payment Schedule approved by the Agency Oversight Board on September 17, 2014 and the California Department of Finance in the letter dated November 5, 2014

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

NOW, THEREFORE, the Oversight Board to the Successor Agency to the Dissolved Yucca Valley Redevelopment Agency, resolves as follows:

Section 1. The foregoing Recitals are true and correct and are incorporated herein.

Section 2. In accordance with Health and Safety Code Section 33445 as amended, the Board concurs with the findings made by both the Town of Yucca Valley and the Successor Agency, whereby the same found and determined that:

1. That the acquisition of land or the installation or construction of the buildings, facilities, structures or other improvements that are publicly owned are of benefit to the project area by helping to eliminate blight as demonstrated by the following facts:
 - a. The proposed property acquisition includes the donation of fully-improved parkland, providing for a regional-type recreation facility benefitting all Town residents both inside and outside of the project area.
 - b. The property acquisition will enhance quality of life opportunities for those low-moderate income individuals that reside in the project areas in nearby proximity to the park, as well as for those individuals in the project area that are not in close proximity to the park due to the regional characteristics of the park and associated programming.
 - c. The development of the donated improvements specifically removed and replaced numerous blighted properties within the park development area.
 - d. The proposed property acquisition will provide recreational facilities that will eliminate the necessity to provide other similar structures within the project area.
2. That no other reasonable means of financing the acquisition of the land or installation or construction of buildings, facilities structures, or other improvements that are publicly owned, are available to the community, with such finding supported by the following declaration of facts:
 - a. The required funding for such acquisition would require Development Impact Fee- Parks funds in the amount of

\$430,000.00, where the current balance of the Development Impact Fee – Parks is zero.

- b. The Town’s Capital Reserve Fund balance is insufficient to fund the acquisition in the amount of \$430,000.00 due to prior commitments, encumbrances and designations.
 - c. Funding the acquisition from the Town’s General Fund would require an allocation in excess of 10% of the Town’s General Fund Reserve, where such reserve is identified for anticipated liabilities associated with the Colorado River Basin Region Water Quality Control Board Resolution R7-2011-0004.
3. That the payment of funds for the acquisition of land or the cost of buildings, facilities structures, or other improvements that are publicly owned is consistent with the implementation plan adopted pursuant to Section 33490 as evidenced by the prior Yucca Valley Redevelopment Agency’s Five Year Implementation Plan dated May 4, 2010 as demonstrated by the following:
- a. Implementation Actions for the Five Year Implementation Plan to specifically including Land Acquisition whereby the Plan states “The Agency has strategic plans to acquire and consolidate critical parcels for future public facilities...”

Section 3. The Town Manager/Executive Director or his designee is hereby directed to implement the necessary transfer of bond funds to facilitate the Brehm Youth Sports Park Acquisition Agreement as previously authorized on the FY 2014-15B Recognized Obligation Payment Schedule as approved by the Agency Oversight Board on September 17, 2014 and by the California Department of Finance in the letter dated November 5, 2014 and by the Town of Yucca Valley in action taken approving an Acquisition Agreement on February 25, 2015.

PASSED, APPROVED, AND ADOPTED this 25th day of February, 2015.

MAYOR

ATTEST:

TOWN CLERK