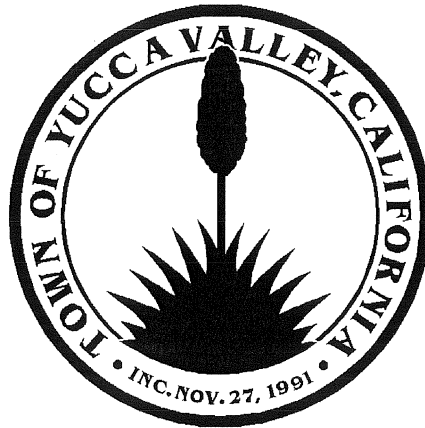


TOWN OF YUCCA VALLEY
ACTING AS SUCCESSOR AGENCY
TO THE YUCCA VALLEY RDA



*The Mission of the Town of Yucca Valley is to
provide a government that is responsive to its citizens
to ensure a safe and secure environment
while maintaining the highest quality of life.*

TUESDAY, APRIL 3, 2012, 6:00 p.m.
(Immediately following Town Council Meeting)
YUCCA VALLEY COMMUNITY CENTER
YUCCA ROOM
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284

CLOSED SESSION
YUCCA VALLEY COMMUNITY CENTER
57090 - 29 PALMS HIGHWAY
YUCCA VALLEY, CALIFORNIA 92284

* * * *

TOWN COUNCIL AS SUCCESSOR AGENCY

Dawn Rowe, Mayor
Isaac Hagerman, Mayor Pro Tem
Merl Abel, Council Member
George Huntington, Council Member
Robert Lombardo, Council Member

* * * *

TOWN ADMINISTRATIVE OFFICE:
760-369-7207

www.yucca-valley.org

**AGENDA
MEETING OF THE
TOWN OF YUCCA VALLEY ACTING AS SUCCESSOR AGENCY TO THE RDA
TUESDAY, APRIL 3, 2012**

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 Mayor/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: Members Abel, Hagerman, Huntington, Lombardo, and Chair Rowe.

DEPARTMENT REPORTS

1. Recognized Obligation Payment Schedule ("ROPS")

Staff Report

Recommendation: 1) Approve the Resolution adopting the preliminary Recognized Obligation Payment Schedule ("ROPS") for period from July 1, 2012 through December 31, 2012; 2) Direct staff to post the schedule on the Town's website and to deliver the ROPS to the Oversight Board (when convened), San Bernardino County Auditor-Controller, State Controller and to the State Department of Finance; and 3) authorize staff from time to time to modify the ROPS pursuant to AB 1x 26.

Action: Move _____ 2nd _____ Voice Vote _____.

PUBLIC COMMENTS

ADJOURNMENT

**SUCCESSOR AGENCY TO THE
YUCCA VALLEY RDA REPORT**

To: Honorable Chair & Agency Members of the Successor Agency to the Yucca Valley Redevelopment Agency
From: Mark Nuaimi, Executive Director/Town Manager
Curtis Yakimow, Director of Administrative Services
Date: March 28, 2012
For **Council** April 3, 2012
Meeting:

Subject: Recognized Obligation Payment Schedule ("ROPS")

Prior Council Review: Acceptance and approval of the Agency's Recognized Obligation Payment Schedule at the meeting of February 21, 2012.

Recommendation: That the Agency:

1. Approve the Resolution adopting the preliminary Recognized Obligation Payment Schedule ("ROPS") for the period from July 1, 2012 through December 31, 2012.
2. Direct staff to post the schedule on the Town's website and to deliver the ROPS to the Oversight Board (when convened), San Bernardino County Auditor-Controller, State Controller and to the State Department of Finance.
3. Authorize staff from time to time to modify the ROPS pursuant to AB 1x 26.

Order of Procedure:

Staff Report
Public Comment
Questions of Staff
Agency Discussion
Motion/Second
Discussion on Motion
Roll Call (voice vote)

Discussion: In July of 2011, the Governor signed, AB1x 26 and AB1x 27. The California Redevelopment Association, the League of California Cities and others challenged the legality of 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").

Reviewed By: _____  _____ _____
Town Manager Town Attorney Mgmt Services Dept Head

<input checked="" type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input checked="" type="checkbox"/> Resolution Action	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Consent	<input type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Study Session

Pending its decision, the Supreme Court had stayed the provisions of AB 26 dissolving redevelopment agencies and providing for the winding up of their affairs. As part of its decision, the Supreme Court extended deadlines for certain actions required or permitted under AB 26. AB 26 was drafted with recognition that redevelopment agencies had a variety of debts and obligations that still must be met in order to avoid causing harm to the persons to whom those debts and obligations are owed. Successor agencies will receive tax revenues from the county auditors in order to ensure those obligations, referred to in AB 26 as “enforceable obligations,” will be met. In order to enable the county auditor to determine how much tax revenue a successor agency needs to meet its enforceable obligations, AB 26 requires the preparation of a series of schedules of enforceable obligations.

The first two schedules, the Enforceable Obligation Payment Schedule (“EOPS”) and the Preliminary Draft Recognized Obligation Payment Schedule (“PDROPS”) were approved by the Redevelopment Agency prior to its dissolution, and subsequently affirmed by the Successor Agency at the meeting of January 17, 2012. Those schedules formed the basis for the preparation of the first schedule approved by the governing body of the successor agency, the Recognized Obligation Payment Schedule (“ROPS”), at the meeting of February 21, 2012. There will be no payment from the County with respect to the obligations from February 1 – June 30, 2012, as those obligations are to be paid from existing sources.

The attached ROPS reflects the time frame of July 1 – December 31, 2012, 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 April 15, 2012. The schedule will then be forwarded to the Oversight Board for approval and resubmitted to the above offices by May 15, 2012. Payment for the qualified obligations during this period will be distributed by the County on June 1, 2012.

Finally, a similar ROPS will be prepared for each six month period, from January 1 through June 30 and from July 1 through December 31, until all of the Agency’s enforceable obligations have been 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 between July 1-- December 31, 2012.

Attachments: Resolution with ROPS.

RESOLUTION NO. SA-

A RESOLUTION OF THE TOWN OF YUCCA VALLEY ACTING IN ITS CAPACITY AS SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE TOWN OF YUCCA VALLEY, CALIFORNIA APPROVING AND ADOPTING A DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) PURSUANT TO HEALTH AND SAFETY CODE § 34176 AND TRANSMITTING THE DRAFT 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 Town of Yucca Valley, in its capacity as Successor 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, Director of Administrative Service 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, Director of Administrative Service 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 3rd day of April, 2012.

MAYOR

ATTEST:

TOWN CLERK

EXHIBIT A

**AMENDED PRELIMINARY DRAFT OF INITIAL RECOGNIZED
OBLIGATION PAYMENT SCHEDULE**

[Attached behind this page]

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 12-13	Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF)							
								Payments by month							Total
								Jul 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012		
1) 2008 Tax Allocation Bonds	5/1/2008	Bank of New York	2008 Bond Proceeds	One	20,635,178.00	735,703.00	RPTTF						274,100.00	\$ 274,100.00	
2) GP Contract	5/1/2011	The Planning Center	Committed amount of GP Project Update	One	450,000.00	450,000.00	RPTTF	25,000.00	25,000.00	25,000.00	50,000.00	25,000.00	25,000.00	\$ 175,000.00	
3) Consulting Services	Open	RSG	SA Operational Consultant	One	50,000.00	50,000.00	RPTTF	10,000.00	10,000.00	5,000.00	5,000.00	2,500.00	2,500.00	\$ 35,000.00	
4) Insurance Costs	Open	PARSAC	Insurance Costs	One	15,000.00	15,000.00	RPTTF	15,000.00	0.00	0.00	0.00	0.00	0.00	\$ 15,000.00	
5) Legal Costs	Open	Aleshire & Wynder	Legal	One	100,000.00	100,000.00	RPTTF	10,000.00	10,000.00	5,000.00	10,000.00	5,000.00	10,000.00	\$ 50,000.00	
6) Audit Expenditure	Open	RAMS	Audit Costs for FY 2011-12 Audit	One	20,000.00	20,000.00	RPTTF	5,000.00	5,000.00	0.00	0.00	10,000.00	0.00	\$ 20,000.00	
7) SERAF Repayment		Low/Mod Fund	Repayment of SERAF Funds	One	636,000.00	636,000.00	RPTTF	0.00	636,000.00	0.00	0.00	0.00	0.00	\$ 636,000.00	
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Totals - This Page (RPTTF Funding)					\$ 21,906,178.00	\$ 2,006,703.00	N/A	\$ 65,000.00	\$ 686,000.00	\$ 35,000.00	\$ 65,000.00	\$ 316,600.00	\$ 37,500.00	\$ 1,205,100.00	
Totals - Page 2 (Other Funding)					\$ 125,000.00	\$ 350,000.00	N/A	\$ 306,000.00	\$ 50,000.00	\$1,025,000.00	\$2,006,000.00	\$ -	\$ -	\$ 3,387,000.00	
Totals - Page 3 (Administrative Cost Allowance)					\$ 300,000.00	\$ 300,000.00	N/A	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 180,000.00	
Totals - Page 4 (Pass Thru Payments)					\$ -	\$ -	N/A	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Grand total - All Pages					\$ 22,331,178.00	\$ 2,656,703.00		\$ 401,000.00	\$ 766,000.00	\$1,090,000.00	\$2,101,000.00	\$ 346,600.00	\$ 67,500.00	\$ 4,772,100.00	

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.
 ** All totals due during fiscal year and payment amounts are projected.
 *** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Per AB 26 - Section 34177 (*)

	Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source ***	Payable from Other Revenue Sources						Total
									Payments by month						
									Jul 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	Total
1)	Southside Phase 1A	September-11	TBD	Phase 1A - Southside Park	One	350,000.00	350,000.00	BP	125,000.00	50,000.00	50,000.00	50,000.00	50,000.00	25,000.00	\$ 350,000.00
2)	Regional Wastewater Funding		Hi Desert Water District	Funding/Pre-payment of Connection Fees	One	4,150,000.00	1,000,000.00	BP	0.00	0.00	0.00	0.00	0.00	500,000.00	\$ 500,000.00
3)				related to state mandated regional											\$ -
4)				wastewater project											\$ -
5)	Public Infrastructure Program		TBD	Funding for infrastructure projects as											\$ -
6)				identified in the Masterplan of Drainage	One	500,000.00	250,000.00	BP	0.00	0.00	0.00	0.00	0.00	500,000.00	\$ 500,000.00
7)	Low/Mod Housing ENA/DDA	December-10	National CORE	Low/Mod Sr. Housing Project	One	3,200,000.00	656,000.00	LMIHF	0.00	300,000.00	100,000.00	256,000.00	0.00	0.00	\$ 656,000.00
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Totals - LMIHF						\$ 3,200,000.00	\$ 656,000.00	LMIHF	\$ -	\$ 300,000.00	\$ 100,000.00	\$ 256,000.00	\$ -	\$ -	\$ 656,000.00
Totals - Bond Proceeds						\$ 5,000,000.00	\$ 1,600,000.00	BP	\$ 125,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 1,025,000.00	\$ 1,350,000.00
Totals - Other															\$ 0.00
Grand total - This Page						\$ 8,200,000.00	\$ 2,256,000.00		\$ 125,000.00	\$ 350,000.00	\$ 150,000.00	\$ 306,000.00	\$ 50,000.00	\$ 1,025,000.00	\$ 2,006,000.00

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**DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)**

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012 2013**	Funding Source **	Payable from the Administrative Allowance Allocation ****						Total
							Payments by month						
							Jul 2012	Aug 2012	Sept 2012	Oct 2012	Nov 2012	Dec 2012	
1) Yucca Valley Successor Agency	Town of Yucca Valley/SA	Admin Costs for Successor Agency	One	250,000.00	250,000.00	RPTTF	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	25,000.00	\$ 150,000.00
2) Oversight Board Admin	Town of Yucca Valley/SA	Admin Costs for OB coordination	One	50,000.00	50,000.00	RPTTF	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00	\$ 30,000.00
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Totals - This Page				\$ 300,000.00	\$ 300,000.00		\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 180,000.00

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.
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 RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc
 LMIHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance
 **** - Administrative Cost Allowance caps are 5% of Form A 6-month totals in 2011-12 and 3% of Form A 6-month totals in 2012-13. The calculation should not factor in pass through payments paid for with RPTTF in Form D.