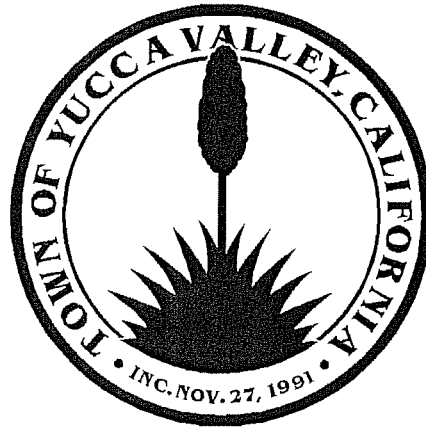


TOWN OF YUCCA VALLEY
ACTING AS SUCCESSOR AGENCY
TO THE YUCCA VALLEY RDA



*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, AUGUST 21, 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
Merl Abel, Mayor Pro Tem
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, AUGUST 21, 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, Huntington, Lombardo, and Chair Rowe.

MINUTES

1. Successor Agency Minutes of June 26, 2012.

Recommendation: Approve minutes as presented.

Action: Move _____ 2nd _____ Vote _____.

DEPARTMENT REPORTS

2. Recognized Obligation Payment Schedule

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 RECOGNIZED OBLIGATION PAYMENT SCHEDULE ("ROPS") PURSUANT TO HEALTH AND SAFETY CODE § 34176 AND TRANSMITTING THE ROPS TO THE NECESSARY AGENCIES

Staff Report

Recommendation: 1) Adopt the Resolution adopting the Recognized Obligation Payment Schedule ("ROPS") for the period from January 1, 2013 through June 30, 2013; 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; and 3) Authorize staff from time to time to modify the ROPS pursuant to AB 1x 26, and AB 1484

Action: Move _____ 2nd _____ Vote _____.

PUBLIC COMMENTS

ADJOURNMENT

**TOWN OF YUCCA VALLEY
ACTING AS SUCCESSOR AGENCY TO THE RDA
MEETING MINUTES
JUNE 26, 2012**

Chair Rowe called the special meeting of the Town of Yucca Valley acting as Successor Agency to the RDA to order at 8:35 p.m.

Members Present: Abel, Hagerman, Huntington, Lombardo, and Chair Rowe.

Staff Present: Town Manager Nuaimi, Deputy Town Manager Stueckle, Administrative Services Director Yakimow, and Secretary Anderson

MINUTES

1. **Successor Agency Minutes of January 17, February 21, February 27, March 6, and April 3, 2012.**

Council Member Huntington moved to approve the minutes as presented. Council Member Lombardo seconded. Motion carried 5-0.

DEPARTMENT REPORTS

2. **FY 2012-13 Proposed Budget**

A RESOLUTION OF THE SUCCESSOR AGENCY OF THE TOWN OF YUCCA VALLEY, CALIFORNIA, ADOPTING THE 2012-13 SUCCESSOR AGENCY BUDGET AND APPROVING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING ON JULY 1, 2012 AND ENDING JUNE 30, 2013

Administrative Services Director Yakimow advised this is a place holder budget based on direction received from the Department of Finance so far and is in line with the already approved ROPS. He advised there will likely be changes as the legislation moves through the process.

Council Member Hagerman moved to adopt Resolution No. SA-12-09, approving the Fiscal Year 2012-13 budget, and designating those officials authorized to make requisitions for encumbrances against appropriations. Council Member Huntington seconded. Motion carried 5-0.

PUBLIC COMMENTS

None

ADJOURNMENT

There being no further business, Chair Rowe adjourned the meeting at 8:40 p.m.

Respectfully submitted,

Jamie Anderson
Secretary

**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: August 15, 2012
For Council August 21, 2012
Meeting:

Subject: Recognized Obligation Payment Schedule ("ROPS")

Prior Council Review: None.

Recommendation: That the Agency:

1. Approve the Resolution adopting the Recognized Obligation Payment Schedule ("ROPS") for the period from January 1, 2013 through June 30, 2013.
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.
3. Authorize staff from time to time to modify the ROPS pursuant to AB 1x 26, and AB1484.

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

Department Report Ordinance Action Resolution Action Public Hearing
 Consent Minute Action Receive and File Study Session

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.

The second ROPS reflected the time frame of July 1 – December 31, 2012, and included the most recent information and funding structures applicable to the given time frame. This preliminary schedule was approved by the Successor Agency on April 3, 2012 and was distributed to the State Controller’s Office, State Department of Finance, and the County Auditor/Controller/Tax Collector by the April 15, 2012 deadline. The schedule was then 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 was distributed by the County on June 6, 2012 in the amount of \$441,224.

The attached ROPS schedule, commonly referred to as “ROPS 3”, reflects anticipated activity for the time frame of January 1, 2013 – June 30, 2013. This form is revised substantially from the preceding two as a result of AB1484, the clean-up legislation passed as part of the State’s FY 2012-13 budget. The changes are primarily technical in nature and are focused toward reconciling the various schedules of revenues and expenditures issued from the County Auditor/Controller/Recorder’s office, the successor agencies, and the Department of Finance.

AB1484 does provide the opportunity for the Department of Finance to reconsider items that were previously rejected on earlier ROPS, and the Agency has listed its disputed items on this ROPS. If rejected again, the Agency can and would request a “meet and confer” with the Department of Finance to resolve outstanding issues. Through this process, the Agency would expect closure on the previously rejected items.

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 January 1 - June 30, 2013.

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 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 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 21st day of August, 2012.

MAYOR

ATTEST:

TOWN CLERK

EXHIBIT A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
January – June 2013

[Attached behind this page]

Successor Agency Contact Information

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

Primary Contact Name: Curtis Yakimow
Primary Contact Title: Director of Admin Services
Address: 57090 29 Palms Hwy
Contact Phone Number: 760-369-7207
Contact E-Mail Address: cyakimow@yucca-valley.org

Secondary Contact Name: Mark Nuaimi
Secondary Contact Title: Town Manager
Secondary Contact Phone Number: 760 369-7207
Secondary Contact E-Mail Address: mnuaimi@yucca-valley.org

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the January 1, 2013 to June 30, 2013 Period

Name of Successor Agency: Town of Yucca Valley

		Total Outstanding Debt or Obligation
Outstanding Debt or Obligation		\$ 15,991,250
Current Period Outstanding Debt or Obligation		Six-Month Total
A	Available Revenues Other Than Anticipated RPTTF Funding	5,421,250
B	Anticipated Enforceable Obligations Funded with RPTTF	506,572
C	Anticipated Administrative Allowance Funded with RPTTF	125,000
D	Total RPTTF Requested (B + C = D)	631,572
Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be the same amount as ROPS form six-month total</i>		\$ 6,052,822
E	Enter Total Six-Month Anticipated RPTTF Funding <i>(Obtain from county auditor-controller)</i>	635,000
F	Variance (E - D = F) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	3,428
Prior Period (January 1, 2012 through June 30, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))		
G	Enter Estimated Obligations Funded by RPTTF <i>(Should be the lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)</i>	692,000
H	Enter Actual Obligations Paid with RPTTF	558,000
I	Enter Actual Administrative Expenses Paid with RPTTF	145,000
J	Adjustment to Redevelopment Obligation Retirement Fund (G - (H + I) = J)	-
K	Adjusted RPTTF <i>(The total RPTTF requested shall be adjusted if actual obligations paid with RPTTF are less than the estimated obligation amount.)</i>	\$ 631,572

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
Title

Signature
Date

RECOGNIZED OBLIGATION PAY#8 T.D. SCHEDULE (ROPS III)
 January 1, 2013 through June 30, 2013

Item #	Project Name / Debt Obligation	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-13	Funding Source						
									LMHF	Bond Proceeds	Reserve Balance	Admin Allowance	RP/TF	Other	Six-Month Total
1	2008 Tax Allocation Bonds	6/1/2008	n/a	Bank of New York	Debt Service	One	\$ 9,745,000.00	\$ 738,143.00				\$ 125,000	\$ 505,572	\$ 464,072	\$ 464,072
2	Southside Phase 1A	5/28/2009	12/31/2012	RHMDWC	Southside Neighborhood Park Phase 1A	One	250,000.00	250,000.00		250,000					250,000
3	Successor Agency Administration	2/1/2012	n/a	Town of Yuca Valley	Personnel and other administrative costs	One	250,000.00	250,000.00				125,000			125,000
4	Special Audit Costs	5/3/2011	12/31/2013	Rodgers Anderson Malody Scott	Specialized Audit Costs beyond normal Agency Admin	One	40,000.00	40,000.00					30,000		30,000
5	Insurance Costs	12/5/2011	Ongoing	PARSAC	Insurance Costs of Successor Agency	One	10,000.00	10,000.00					10,000		10,000
6	General Plan Update RDA Portion	6/21/2011	6/30/2013	The Planning Center	RDA Bond fund committed portion of GP Update	One	400,000.00	400,000.00		400,000					400,000
7	General Plan Update RDA Portion	6/21/2011	6/30/2013	The Planning Center	RDA LHM committed portion of GP Update	One	100,000.00	100,000							100,000
8	Regional Wastewater Funding	6/1/2008	n/a	Hi Desert Water District	Payment of regional drainage infrastructure	One	4,150,000.00	4,150,000		4,150,000					4,150,000
9	Regional Infrastructure Funding	6/1/2008	n/a	Army Corp/USD	Contribution commitment to planned Lowland St. Pj	One	500,000.00	500,000				500,000			500,000
10	National CORE Lowland Housing Pj	12/1/2010	n/a	National CORE	Monitoring service for lowland housing units	One	1,250.00	1,250				1,250			1,250
11	Affordable Housing Monitoring	8/1/1994	Ongoing	Affordable Housing Group	Utility expense for RDA prop held for resale	One	5,000.00	5,000						2,500	2,500
12	Property Held for Resale - Utility Exp	6/30/2009	Ongoing	SCE, SCG, HDWD	Project related legal expenditure - National CORE	One	40,000.00	20,000							20,000
13	National CORE LHM Project Legal Cost	6/1/2010	Ongoing	Aleshvyr & Wynder		One									
14															
15															
16															
17															
18															
19															
20															
21															
22															
Grand Total							\$ 19,997,250	\$ 6,464,393	\$ 621,250	\$ 4,800,000	\$ -	\$ 125,000	\$ 505,572	\$ 464,072	\$ 6,052,822

611
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III) -- Notes (Optional)
 January 1, 2013 through June 30, 2013

Item #	Notes/Comments
6	General Plan Contract - RDA Bond Fund of \$400,000 as committed to in March 2011, and through RDA budget action dated 6/21/2011. See attached Letter dated May 24, 2012.
7	General Plan Contract - RDA Housing Reserve Fund of \$100,000 as committed to in March 2011, and through RDA budget action dated 6/21/2011. See attached Letter dated May 24, 2012.
2	Southside Phase 1A - Bond Funds of \$250,000 as provided for as part of the original Tax Allocation Bonds in 2008. See attached letter dated May 24, 2012.
8	Regional Wastewater Funding - Bond Funds of \$4,150,000 for funding of Connection Fees as provided for as part of the original Tax Allocation Bonds in 2008. See attached letter dated May 24, 2012.
9	Public Infrastructure Program - Bond Funds of \$500,000 for Drainage Infrastructure as provided for as part of the original Tax Allocation Bonds. See attached letter dated May 24, 2012.
10	Low/Mod Housing Project - RDA Contribution from Low/Mod Fund of \$500,000 pursuant to multiple agreements/commitments dated prior to June 28, 2011. See attached letter dated May 24, 2012.
	<i>These items were included in the Successor Agency's ROPS 1 & 2 requests, and were denied by DOF for various reasons.</i>
	<i>The Successor Agency believes that each of these items is wholly defensible as justified expenditures in accordance with the reasonable interpretation of both AB 1X26 and AB 1484.</i>
	<i>Accordingly, if the DOF is of the position that these remain ineligible expenditures, the Successor Agency would request a "meet and confer" as provided for in AB 1484 to resolve these differences.</i>

