

RESOLUTION NO. 13-04

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JULY 1, 2013, THROUGH DECEMBER 31, 2013, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34179, DIVISION 24, PART 1.85, AND AUTHORIZING POSTING AND TRANSMITTAL THEREOF

WHEREAS, The City of Montclair Redevelopment Agency ("Agency") was established as a redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.*, ("CRL"), and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Montclair ("City"), and

WHEREAS, Assembly Bill X1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which laws cause the dissolution and wind down of all redevelopment agencies ("Dissolution Act"), and

WHEREAS, on December 29, 2011, in the petition *California Redevelopment Association v. Matosantos*, Case No. S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of and on February 1, 2012, under the dates in the Dissolution Act that were reformed and extended thereby; and

WHEREAS, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act; and

WHEREAS, by Resolution considered and approved by the City Council at an open public meeting the City chose to become and serve as the "Successor Agency" to the dissolved Agency under the Dissolution Act; and

WHEREAS, as of and on and after February 1, 2012, the City serves and acts as the Successor Agency and is performing its functions as the successor agency under the Dissolution Act to administer the enforceable obligations of the Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member oversight board ("Oversight Board"), and

WHEREAS, Section 34179 provides that the Oversight Board has fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of Part 1.85 of the Dissolution Act; and

WHEREAS, pursuant to Section 34179, the Successor Agency's Oversight Board has been formed and the initial meeting has occurred on April 25, 2012; and

WHEREAS, the State Legislature approved and the Governor signed AB 1484 on June 29, 2012; and

WHEREAS, AB 1484 changed the date for submittal of the ROPS to no fewer than 90 days before the date of property tax distribution, and included a \$10,000 per day fine for each day the ROPS is delinquent; and

WHEREAS, the ROPS for July 1, 2013, through December 31, 2013, must be submitted to the County and State by March 1, 2013, and

WHEREAS, the Oversight Board approved the ROPS for July 1, 2013, through December 31, 2013, on February 27, 2013, and authorized the Successor Agency to post the ROPS on the City/Successor Agency website and transmitted the ROPS to the County Auditor-Controller, the State Department of Finance ("DOF"), and the State Controller's Office, and

WHEREAS, pursuant to the Dissolution Act, the actions of the Oversight Board, including those approved by this Resolution, do not become effective for five (5) business days pending any request for review by the DOF, and if the DOF requests review hereof, DOF will have 45 days from the date of its request to approve this Oversight Board action.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency to the City of Montclair Redevelopment Agency does hereby find and determine as follows:

Section 1. The Oversight Board finds and determines that the foregoing recitals incorporated into this Resolution by this reference are true and correct and constitute a material part of this Resolution.

Section 2. The Oversight Board approves the ROPS for the period of July 1, 2013, through December 31, 2013.

Section 3. The Oversight Board authorizes the Successor Agency to transmit the ROPS to the County Auditor-Controller, the DOF, and the State Controller's Office.

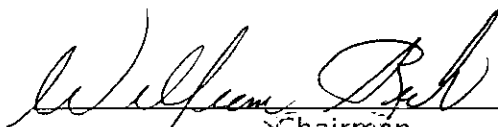
Section 4. The Secretary of the Successor Agency or her authorized designee is directed to post the ROPS on the City/Successor Agency website pursuant to the Dissolution Act.

Section 5. This Resolution shall become effective after transmittal of this Resolution with the ROPS attached to the DOF and the expiration of five (5) business days pending a request for the review of the DOF within the time periods set forth in the Dissolution Act; in this regard, if the DOF requests review hereof it will have ten days from the date of its request to approve this Oversight Board action or return it to the Oversight Board for reconsideration and the action, if subject to review by DOF, will not be effective until approved by the DOF.

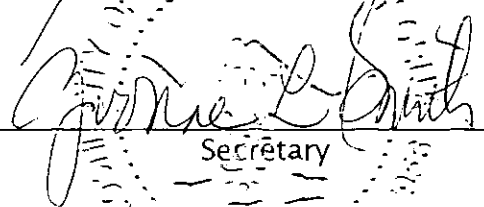
Section 6. The Secretary of the Oversight Board shall certify to the adoption of this Resolution and shall maintain this Resolution on file as a public record and the ROPS as approved hereby.

APPROVED AND ADOPTED this 27th day of February, 2013.

ATTEST:



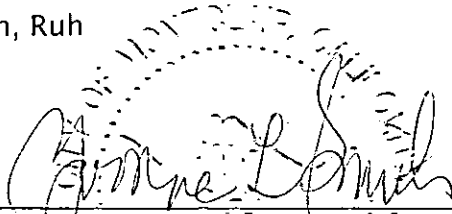
Chairman



Secretary

I, Yvonne L. Smith, Secretary of the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency, DO HEREBY CERTIFY that Resolution No. 13-04 was duly adopted by the Oversight Board of Directors at a regular meeting thereof held on the 27th day of February, 2013, and that it was adopted by the following vote, to-wit:

AYES: Kulbeck, Erickson, Catlin, Johnson, Ruh
NOES: None
ABSTAIN: None
ABSENT: Stallings, Richardson



Yvonne L. Smith
Secretary

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: **MONTCLAIR (SAN BERNARDINO)**

Outstanding Debt or Obligation	Total
Total Outstanding Debt or Obligation	\$95,994,879

Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$0
B Enforceable Obligations Funded with RPTTF	\$2,720,782
C Administrative Allowance Funded with RPTTF	\$291,289
D Total RPTTF Funded (B + C = D)	\$3,012,071
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$3,012,071
F Enter Total Six-Month Anticipated RPTTF Funding	\$4,000,000
G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	\$987,929

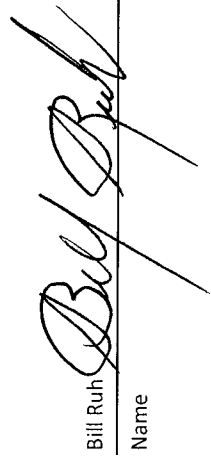
Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34.186 (a))	
H Enter Estimated Obligations Funded by RPTTF (lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)	\$2,454,049
I Enter Actual Obligations Paid with RPTTF	\$2,454,049
J Enter Actual Administrative Expenses Paid with RPTTF	\$0
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$0
L Adjustment to RPTTF (D - K = L)	\$3,012,071

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.

Bill Ruh

 Name Chairman

/s/

2/27/2013

Signature

Date

MONTCLAIR (SAN BERNARDINO)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)

July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
1	1997 Taxable Tax Allocation Bonds	
2	2007A Tax Allocation Refunding Bonds	
3	2007B Taxable Tax Allocation Bonds	
4	2004 Tax Allocation Bonds	
5	2001 Tax Allocation Bonds	
6	2006A Tax Allocation Bonds	
7	2006B Tax Allocation Bonds	
8	Employee Costs	Since we are unable to modify description - These are reported on line 28; therefore, this line can be omitted in future ROPS.
9	Advertising for Bond Costs	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
10	Contract for Legal Services	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
11	Comm. Rehab. Loan Agreement	Estimated costs.
12	Contract for Bond Trustee Service	Estimated costs.
13	Contract for Legal Services	Estimated costs.
14	Contract for Bond Services	Estimated costs.
15	Contract for Bond Services	Estimated costs.
16	Contract for Consulting Services	
17	Audit Services	
18	Rent of Office Space	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
19	Contract for Legal Services	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
20	Rehabilitation Loan Agreements	Estimated costs which are dependent upon services required.
21	Homebuyers Assist. Program Agmt.	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
22	Homebuyers Assist. Program Agmt.	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
23	Contract for Professional Service	Estimated costs which are dependent upon services required.
24	Employee Costs	Since we are unable to modify description - These are reported on line 28; therefore, this line can be omitted in future ROPS.
25	Contract Legal Services	Since we are unable to modify description - These are reported on line 31, therefore, this line can be omitted in future ROPS.
26	Contract Legal Services	Since we are unable to modify description - These are reported on line 19; therefore, this line can be omitted in future ROPS.
27	Maintenance Contract	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
28	Employee Costs	
29	Contract for Legal Services	Since we are unable to modify description - These are reported on line 19; therefore, this line can be omitted in future ROPS.
30	Agency Insurance Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
31	Contract for Legal Services	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
32	Office Supplies	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
33	Agency Insurance Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
34	Agency Insurance Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
35	Agency Insurance Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
36	Overhead Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
37	Retirement Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
38	Contract for Safekeeping Services	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
39	Contract for Appraisal Services	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
40	Contract for Asset Mgmt / Disposal Plan	Estimated costs pending of finding of completion and necessary for land disposal process.
41	Employee Costs	Estimated costs pending of finding of completion and necessary for land disposal process.
42	Public facility, infrastructure and economic development obligations	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair Utilization of pre 1/1/2011 bond proceeds pending finding of completion. Enforceable obligation will be created once finding of completion is received and approval of Oversight Board is obtained.

SUCCESSOR AGENCY CONTACT INFORMATION

Successor Agency

ID: 265
County: San Bernardino
Successor Agency: Montclair

Primary Contact

Honorific (Ms, Mr, Mrs)

First Name

Last Name

Title

Address

City

State

Zip

Phone Number

Email Address

Mr.

Donald L.

Parker

Finance Director

5111 Benito Street

Montclair

CA

91763

909-625-9418

dparker@cityofmontclair.org

Secondary Contact

Honorific (Ms, Mr, Mrs)

First Name

Last Name

Title

Phone Number

Email Address

Ms.

Marilyn

Staats

Deputy City Manager/Exec. Dir. Econ. Dev.

909-625-9412

mstaats@cityofmontclair.org