

Due to lack of a quorum, the February 13, 2014, meeting was not held. A special meeting will be held at a later date.

OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE STANISLAUS COUNTY REDEVELOPMENT AGENCY

AGENDA

February 13, 2014
9:00 a.m.

Third Floor, Conference Room 3001
1010 10th Street
Modesto, California

www.stancounty.com

The Oversight Board welcomes you to its meetings which are regularly scheduled the second Thursday of each month, and your interest is encouraged and appreciated.

The agenda is divided into two sections:

CONSENT CALENDAR: These matters include routine financial and administrative actions and are identified with an asterisk (*). All items on the consent calendar will be voted on as a single action at the beginning of the meeting under the section titled "Consent Calendar" without discussion. If you wish to discuss an item on the Consent Calendar, please notify the Clerk prior to the beginning of the meeting or you may speak about the item during Public Comment Period.

NON-CONSENT CALENDAR: These items will be individually discussed and reviewed in detail.

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE OVERSIGHT BOARD REGARDING A MATTER ON THE AGENDA: Please raise your hand or step to the podium at the time the item is announced by the Oversight Board Chairperson. In order that interested parties have an opportunity to speak, any person addressing the Oversight Board will be limited to a maximum of 5 minutes unless the Chairperson of the Oversight Board grants a longer period of time.

PUBLIC COMMENT PERIODS: Matters under the jurisdiction of the Oversight Board and not on the posted agenda, may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Oversight Board for consideration; however, California law prohibits the Oversight Board from taking any action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Oversight Board. Any member of the public wishing to address the Oversight Board during the "Citizen's Forum" period will be limited to a maximum of 5 minutes.

OVERSIGHT BOARD AGENDAS AND MINUTES: Agendas, Minutes, and copies of items to be considered by the Oversight Board are typically posted on the internet on Friday afternoons preceding the meeting at the following website: www.stancounty.com. All materials, including materials related to an item on this Agenda, submitted to the Oversight Board after distribution of the agenda packet are available for public inspection in the Planning and Community Development Department at 1010 10th Street, Suite 3400, Modesto, during normal business hours.

NOTICE REGARDING NON-ENGLISH SPEAKERS: Oversight Board meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Oversight Board Clerk at (209) 525-6330. Notification 72 hours prior to the meeting will enable the Clerk to make arrangements to ensure accessibility to this meeting.

- I. **ROLL CALL:** Dave Cogdill Jr.; James Duval; Linda Flores; Brad Hawn; Terry Withrow; Duane Wolterstorff; Brian Kelly.
- II. **CONSENT CALENDAR (Those items marked with an *)**
- III. **APPROVAL OF MINUTES**
 - *A. September 12, 2013

IV. CORRESPONDENCE

A. None.

V. PUBLIC COMMENT

VI. AGENDA ITEMS

A. Approval of an Administrative Budget for Fiscal Year 2014-2015

B. Approval of Recognized Obligation Payment Schedule for July 1, 2014 to December 31, 2014 (ROPS 14-15A)

VII. OTHER MATTERS

A. On the Horizon.

VIII. ADJOURNMENT

OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE STANISLAUS COUNTY REDEVELOPMENT AGENCY

MINUTES

REGULAR MEETING

SEPTEMBER 12, 2013

- I. ROLL CALL:** Meeting called to order at 9:10 a.m.
- Present: Chairman, Terry Withrow; James Duval; Brad Hawn; Linda Flores; Brian Kelly; Duane Wolterstorff
- Absent: Dave Cogdill Jr.
- Staff Present: Angela Freitas, Planning and Community Development Director; Thomas Boze, Assistant County Counsel; Marianne Rucker, Manager II; Brenda McCormick, Oversight Board Clerk

II. APPROVAL OF MINUTES

- *A. Upon motion of Oversight Board members James Duval/Brad Hawn (4/0), Brian Kelly abstained, the Board approved the minutes of the March 1, 2013 special meeting.

III. CORRESPONDENCE

- A. Letter dated September 11, 2013, from Juan Carlos Cancino, Attorney, California Rural Legal Assistance, Inc. (CRLA).

IV. PUBLIC COMMENT

- A. No one spoke.

Duane Wolterstorff arrived at 9:10 a.m.

V. AGENDA ITEMS (* - Consent Items)

- A. Approval of Recognized Obligation Payment Schedule (ROPS) 13-14B for January to June 2014. *Director Freitas presented an overview of the report and provided the Board a copy of the Notes Section of the 13-14B ROPS with revised language.*
Chairman asked for public comment – Juan Carlos, Attorney, California Rural Legal Assistance, Inc. spoke.
Duane Wolterstorff/Brad Hawn (6-0) – Approved all Staff Recommendations as outlined in the Staff Report with the incorporation of the revised language to the Notes Section of the 13-14B ROPS, including Resolution No. 2013-05.

VI. OTHER MATTERS (NOT PUBLIC HEARINGS)

- A. On the Horizon.
Director Freitas informed the Board she had nothing to report at this time.

VII. ADJOURNMENT

The meeting was adjourned at 9:35 a.m.

Signature on file
Angela Freitas, Secretary

(The above is a summary of the minutes of the Oversight Board meeting. Due to technical difficulty, a partial audio file of the meeting is available (9:13 a.m. to 9:35 a.m.) from the Planning and Community Development Department.)

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE
STANISLAUS COUNTY REDEVELOPMENT AGENCY**

STAFF REPORT

SUBJECT:

Approval of an Administrative Budget for Fiscal Year 2014-2015

RECOMMENDATION:

1. Approve the Administrative Budget for Fiscal Year 2014-2015.
2. Direct the Department of Planning and Community Development to forward the approved amended administrative budget to the Stanislaus County Auditor-Controller as the Successor Agency's official administrative cost estimates for Fiscal Year 2014-2015.
3. Adopt the attached Draft Resolution approving the Administrative Budget for Fiscal Year 2014-2015.

DISCUSSION:

The Redevelopment Agency Dissolution Act (the "Dissolution Act") (ABx1 26) requires that a successor agency prepare a proposed administrative budget and submit it to the oversight board for its approval. The proposed administrative budget must include all of the following:

1. Estimated amounts for successor agency administrative costs for the upcoming six-month fiscal period.
2. Proposed sources of payment for the costs identified in item one (1) above.
3. Proposals for arrangements for administrative and operations services provided by a city, county, city and county, or other entity.

In addition, the successor agency is required to provide the County Auditor-Controller with administrative cost estimates, from its approved administrative budget that are to be paid from property tax revenues deposited into the Redevelopment Property Tax Trust Fund (RPTTF), for each six-month fiscal period covered by a Recognized Obligation Payment Schedule (ROPS).

The Dissolution Act provides for an administrative cost allowance to provide funds for successor agencies to wind down the affairs and administer the debt repayments of the former redevelopment agency. The Dissolution Act provides the following definition:

"Administrative cost allowance" means an amount that, subject to the approval of the oversight board, is payable from property tax revenues of up to 5 percent of the property tax allocated to the successor agency on the Recognized Obligation Payment Schedule covering the period January 1, 2012, through June 30, 2012, and up to 3 percent of the property tax allocated to the Redevelopment Obligation Retirement Fund money that is allocated to the successor agency for each fiscal year thereafter; provided, however, that the amount shall not be less than two hundred fifty thousand dollars (\$250,000), unless the oversight board reduces this amount, for any fiscal year or such lesser amount as agreed to by the successor agency. However, the allowance shall exclude, and shall not apply to, any administrative costs that can be paid from bond proceeds or from sources other than property tax. Administrative cost allowances shall exclude any litigation expenses related to assets or obligations, settlements and judgments, and the costs of maintaining assets prior to disposition. Employee costs associated with work on specific project implementation activities, including, but not limited to, construction inspection, project management, or actual construction, shall be considered project-specific costs and shall not constitute administrative costs."

Based on the Successor Agency's (SA) enforceable obligations, three percent of the property tax allocated to the SA for 2013-14 would be less than the minimum administrative cost allowance of \$250,000.

The following is a description of the costs to be covered by the administrative cost allowance in Fiscal Year 2014-2015:

Staffing Costs: These costs reflect staff salaries and benefits for the time spent working on SA. The costs reflected in the budget are estimates based on actual costs and anticipated work tasks that need to be completed.

Staffing costs include staff time from the County's Department of Planning and Community Development, County Counsel and the Chief Executive Office.

Operational Costs: These costs reflect the SA's costs for services, supplies and the County's Cost Allocation Plan (CAP) charges. CAP charges include "fair share costs" covering, but not limited to, self-insured general liability, mail room, Auditor's Department, Purchasing Agents, and fiduciary liability insurance. These costs also include Oversight Board meeting related expenses.

Legal Service Costs: These costs reflect actual costs for outside legal services provided to the SA by the Sacramento based Miller & Owen law firm. Miller & Owen has been providing services to the RDA since the late 1980's when Stanislaus County first started the process for formation of the RDA and has guided the County in its transition from RDA to SA. Services from Miller & Owen are provided on an "as needed" basis.

Proposed Administrative Budget:

The proposed administrative budgets provided below reflect the administrative costs to be listed on the ROPS as an enforceable obligation to be paid for from the administrative cost allowance.

	Fiscal Year 2014-2015
	February 13, 2014 Proposed Budget
Staffing Costs	\$212,000.00
Operational Costs	\$23,000.00
Legal Service Costs	\$15,000.00
Total Costs	\$250,000.00

A reconciliation of estimated versus actual costs will be reported on subsequent ROPS. The difference will result in adjustments to the amount of property tax distributed by the County Auditor-Controller to the SA's Redevelopment Property Tax Trust Fund.

An administrative budget of \$250,000 was approved by the OB for Fiscal Year 2013-2014. As of December 31, 2013, the estimated Fiscal Year administrative costs of the SA were approximately \$51,500. The SA continues to budget for the full amount of the administrative cost allowance to ensure adequate funding is available to cover all costs.

ATTACHMENTS:

1. Draft Resolution No. 2014-01

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE
STANISLAUS COUNTY REDEVELOPMENT AGENCY**

RESOLUTION NO. 2014-01

DATE: February 13, 2014

SUBJECT: Approval of an Administrative Budget for Fiscal Year 2014-2015

On the motion of _____, seconded by _____, and approved by the following vote:

Ayes:

Noes:

Absent:

Abstained:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, on February 1, 2012, the Stanislaus County Redevelopment Agency was dissolved pursuant to the Redevelopment Agency Dissolution Act (ABx1 26), enacted by the State Legislature, and signed by the Governor, as part of the Fiscal Year 2011-12 State budget bill, and subsequently modified by the State Supreme Court; and

WHEREAS, pursuant to Section 34173 of ABx1 26, the County of Stanislaus assumed the role of the Successor Agency to the former Stanislaus County Redevelopment Agency ("Successor Agency"), and is responsible for winding down the activities of the former Redevelopment Agency; and

WHEREAS, the Successor agency must prepare an administrative budget and submit it to the Oversight Board for approval, pursuant to Section 34177 (j) of the ABx1 26; and

WHEREAS, the Oversight Board has considered the proposed Administrative Budget for Fiscal Year 2014-2015.

NOW, THEREFORE, BE IT RESOLVED that this Oversight Board:

1. Has considered the proposed Administrative Budget for Fiscal Year 2014-2015, presented at this meeting, and hereby adopts the proposed Administrative Budget in substantially the same form as attached hereto.
2. This resolution shall take effect from and after the date of its passage and adoption, February 13, 2014.

BE IT FURTHER RESOLVED that Successor Agency staff shall bring amendments to the Administrative Budget to the Oversight Board for approval, as necessary, and is directed to provide administrative cost estimates to be paid from property tax revenues to the County Auditor-Controller for each six month fiscal period.

ATTEST:

APPROVED AS TO FORM:

Brenda McCormick
Oversight Board Clerk

Thomas Boze
Deputy County Counsel

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE
STANISLAUS COUNTY REDEVELOPMENT AGENCY**

STAFF REPORT

SUBJECT:

Approval of Recognized Obligation Payment Schedule (ROPS) 14-15A for July 1, 2014 to December 31, 2014

RECOMMENDATION:

1. Approve the Recognized Obligation Payment Schedule (ROPS) 14-15A for July to December 2014.
2. Approve the attached Draft Resolution approving the ROPS 14-15A for July to December 2014.
3. Authorize the Chair of the Oversight Board to sign the ROPS 14-15A for July to December 2014.
4. Direct the Department of Planning and Community Development to take all actions required under law including, but not limited to, forwarding the approved ROPS to the Stanislaus County Auditor-Controller, California Department of Finance, and California State Controller's Office.

DISCUSSION:

The Redevelopment Agency Dissolution Act (the "Dissolution Act") (ABx1 26) requires that an oversight board approve the Recognized Obligation Payment Schedule (ROPS) prepared by the successor agency before it can be submitted to the Stanislaus County Auditor-Controller, California Department of Finance (Finance) and the State Controller's Office. A ROPS lists all of the enforceable obligations of the former Redevelopment Agency and, commencing on May 1, 2012, only those payments listed on the ROPS may be made by the Successor Agency (SA).

After May 1, 2012, the SA only receives a distribution of property tax funding (deposited into a Redevelopment Property Tax Trust Fund (RPTTF)) equal to the amount needed to make the payments listed on the ROPS.

All of the obligations listed on the ROPS 14-15A were listed on previous ROPS approved by the Oversight Board (OB) of the SA of the Stanislaus County Redevelopment Agency (Agency). (See Attachment 1) Despite OB approval, Finance has determined that the following two agreements reflected on the ROPS are not enforceable obligations and, as such, the obligations have been denied:

- Public Works Infrastructure Agreement
- Housing Set Aside Fund – LMI Housing Fund/1991 CRLA Agreement

The ROPS 14-15A has been prepared using a new on-line template provided by Finance. While the new template does not delete items denied by Finance as enforceable obligations, the ROPS instructions make clear that, in accordance with the Dissolution Act, agencies and the oversight boards are not allowed to restore funding for an obligation that was deleted or reduced by Finance unless it reflects decisions made during the Meet and Confer process or pursuant to a court order.

The SA has been unsuccessful through the Meet and Confer process in getting Finance to reverse their determinations of denial.

The ROPS includes a reconciliation of estimated versus actual payments made by the SA during the ROPS 13-14A period (July to December 2013). As reflected on the “Summary” and “Report of Prior Period Adjustments” sheets, the ROPS 14-15A RPTTF payment will be reduced by \$99,255. Based on this reduction, the ROPS 14-15A reflects an adjusted current period RPTTF requested funding in the amount of \$1,477,067; however, the “Summary” sheet does not reflect this reduction in the section titled “County Auditor Controller Reported Prior Adjustment to Current Period RPTTF Requested Funding”. Shaded sections of the new template reflect pre-populated fields which cannot be adjusted by the SA. The above reduction that is not reflected on the “Summary” sheet appears to be dependent on information to be completed by the County Auditor Controller (CAC) on the “Report to Prior Period Adjustment” sheet upon submittal of the ROPS 14-15A by the SA to Finance and the CAC.

Upon submittal of the ROPS 14-15A, the Department of Finance will have five (5) days to request a review and forty-five (45) days to review the ROPS. Upon Finance’s determination, the SA has five (5) days to request additional review by Finance and an opportunity to Meet and Confer on disputed items. While the SA does not anticipate there being any disputed items, staff is prepared to request additional review and to Meet and Confer, if necessary.

ATTACHMENTS:

1. Proposed ROPS 14-15A for July to December 2014
2. Draft Resolution No. 2014-02

Recognized Obligation Payment Schedule (ROPS 14-15A) - Summary

Filed for the July 1, 2014 through December 31, 2014 Period

Name of Successor Agency: Stanislaus County
Name of County: Stanislaus

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):	\$ -
B Bond Proceeds Funding (ROPS Detail)	-
C Reserve Balance Funding (ROPS Detail)	-
D Other Funding (ROPS Detail)	-
E Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 1,576,322
F Non-Administrative Costs (ROPS Detail)	1,451,322
G Administrative Costs (ROPS Detail)	125,000
H Current Period Enforceable Obligations (A+E):	\$ 1,576,322

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
I Enforceable Obligations funded with RPTTF (E):	1,576,322
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(99,255)
K Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 1,477,067

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
L Enforceable Obligations funded with RPTTF (E):	1,576,322
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N Adjusted Current Period RPTTF Requested Funding (L-M)	1,576,322

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.

Terry Withrow	Oversight Board Chairman
Name	Title
/s/	
Signature	Date

Recognized Obligation Payment Schedule (ROPS) 14-15A - Report of Cash Balances
(Report Amounts in Whole Dollars)

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.

A	B	C	D	E	F	G	H	I	
		Fund Sources							
		Bond Proceeds		Reserve Balance		Other	RPTTF		
	Cash Balance Information by ROPS Period	Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR balances retained	Prior ROPS RPTTF distributed as reserve for next bond payment	Rent, Grants, Interest, Etc.	Non-Admin and Admin	Comments	
ROPS 13-14A Actuals (07/01/13 - 12/31/13)									
1	Beginning Available Cash Balance (Actual 07/01/13) Note that for the RPTTF, 1 + 2 should tie to columns J and O in the Report of Prior Period Adjustments (PPAs)	-	-	68,692	-	254,566	115,466		
2	Revenue/Income (Actual 12/31/13) Note that the RPTTF amounts should tie to the ROPS 13-14A distribution from the County Auditor-Controller during June 2013	-	-	-	-	4,796	1,196,819		
3	Expenditures for ROPS 13-14A Enforceable Obligations (Actual 12/31/13) Note that for the RPTTF, 3 + 4 should tie to columns L and Q in the Report of PPAs	-	-	-	-	-	1,213,729		
4	Retention of Available Cash Balance (Actual 12/31/13) Note that the RPTTF amount should only include the retention of reserves for debt service approved in ROPS 13-14A	-	-	-	-	245,000	-	See Notes/Comments for Column (G)	
5	ROPS 13-14A RPTTF Prior Period Adjustment Note that the RPTTF amount should tie to column S in the Report of PPAs.	No entry required						99,255	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ 68,692	\$ -	\$ 14,362	\$ (699)		
ROPS 13-14B Estimate (01/01/14 - 06/30/14)									
7	Beginning Available Cash Balance (Actual 01/01/14) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ -	\$ -	\$ 68,692	\$ -	\$ 259,362	\$ 98,556		
8	Revenue/Income (Estimate 06/30/14) Note that the RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014	-	-	-	-	717	603,840		
9	Expenditures for 13-14B Enforceable Obligations (Estimate 06/30/14)	-	-	68,692	-	11,000	447,743		
10	Retention of Available Cash Balance (Estimate 06/30/14) Note that the RPTTF amounts may include the retention of reserves for debt service approved in ROPS 13-14B	-	-	-	-	249,079	252,022	See Notes/Comments for Column (G) & (H)	
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,631		

Recognized Obligation Payment Schedule 14-15A - Notes

July 1, 2014 through December 31, 2014

Item #	Notes/Comments
1	Prior Period Adjustment Page. ROPS 13-14A requested \$159,301 for the Salida Storm Drain project. The actual amount due and paid was \$160,000. The difference was related to an outdated amortization schedule which included estimated payments. The payments are made to the USDA who informed the Successor Agency (SA) of the revised amount due which differed from the original payment schedule. A new schedule has been requested. ROPS 13-14A provided a revenue shortfall of \$699 due to incorrect request.
9	ROPS Detail Page. Five percent (5%) of the contribution for housing under the 1991 CRLA Agreement has been determined by Department of Finance (Finance) not to be an enforceable obligation as part of the review determination process for previous ROPS. In accordance with the ROPS instructions provided by Finance, the obligation debt information has not been populated. The Successor Agency and the Oversight Board (OB) of the former Stanislaus County Redevelopment Agency continue to disagree with Finance's determination and reserve the right both to challenge Finance's determination and to establish that the full Agreement is an enforceable obligation. As reflected on the OB approved ROPS III, the obligation that DOF denied under this Agreement is approximately \$7,544,860. The total obligation under this agreement is approximately \$7 Million plus if only the 5% obligation is determined by the courts to be enforceable; it is \$50 Million plus if the full 25% obligation is determined to be enforceable.
10	ROPS Detail Page. The Public Works Infrac. Agreement has been determined by Department of Finance (Finance) not to be an enforceable obligation as part of the review determination process for previous ROPS. In accordance with the ROPS instructions provided by Finance, the obligation debt information has not been populated. The Successor Agency and the Oversight Board (OB) of the former Stanislaus County Redevelopment Agency (RDA) continue to disagree with Finance's determination and reserve the right to challenge Finance's determination and to establish that the full Agreement is an enforceable obligation. Approximately \$5.3 Million was held by the RDA to fund this Agreement, as reflected on the Non-housing Due Diligence Review (DDR) submitted to Finance on January 10, 2013. The Successor Agency and Oversight Board maintain that this cash should have been retained by the Successor Agency for purposes consistent with this Agreement. As reflected on the OB approved ROPS III, the total outstanding obligation for this Agreement is approximately \$26,596,704. Therefore, between the Non-housing DDR and the obligation set forth on the ROPS I, II, and III, the total obligation is \$32 Million.
	Line 4/Column (G) Cash Balances page. This \$245,000 is the debt service reserve required by the USDA for the Salida Storm Drain loan.
	Line 10/Column (G) Cash Balances Page. The 249,079 is comprised of: 1) \$4,079 being retained as program income related to Successor Housing Agency (SHA) activities and 2) \$245,000 debt service reserve required by the USDA for the Salida Storm Drain loan. The SHA funds have been deposited with Successor Agency (SA) funds in error. For the purpose of transparency and because these currently show in our financial statements for this time period, they are being listed as funds to be retained. The SA and SHA are working to relocate the funds to an appropriate SHA account.
	Line 10/Column (H) Cash Balances Page. The \$252,022 is reserve RPTTR funds approved and distributed under ROPS 13-15B for future payment of Item (4) - CalHFA Loan. RPTTR to cover the remaining total outstanding obligation of \$765,065 will be requested under ROPS 14-15A and B.

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE
STANISLAUS COUNTY REDEVELOPMENT AGENCY**

RESOLUTION NO. 2014-02

DATE: February 13, 2014

**SUBJECT: Approval of Recognized Obligation Payment Schedule (ROPS) 14-15 A for
July 1, 2014 to December 31, 2014**

On the motion of _____, seconded by _____, and approved by the following vote:

Ayes:

Noes:

Absent:

Abstained:

THE FOLLOWING RESOLUTION WAS ADOPTED:

WHEREAS, on February 1, 2012, the Stanislaus County Redevelopment Agency was dissolved pursuant to the Redevelopment Agency Dissolution Act (ABx1 26), enacted by the State Legislature, and signed by the Governor, as part of the Fiscal Year 2011-12 State budget bill, and subsequently modified by the State Supreme Court; and

WHEREAS, pursuant to Section 34173 of ABx1 26, the County of Stanislaus assumed the role of the Successor Agency to the former Stanislaus County Redevelopment Agency ("Successor Agency"), and is responsible for winding down the activities of the former Redevelopment Agency; and

WHEREAS, ABx1 26 requires the Successor Agency to prepare a Recognized Obligation Payment Schedule (ROPS) for each six month period and submit it to the Oversight Board for approval; and

WHEREAS, in accordance with the ROPS 14-15A instructions provided by Finance, the obligation debt information for the 1991 CRLA Agreement and Public Works Infrastructure Agreement has not been populated; and

WHEREAS, the ROPS 14-15A for the period of July 1, 2014 to December 31, 2014, has been considered by the Oversight Board at a public meeting.

NOW, THEREFORE, BE IT RESOLVED that this Oversight Board:

1. Hereby adopts the proposed ROPS 14-15A for July 1, 2014 to December 31, 2014.

2. Hereby finds that, while the obligation debt information has not been populated for the 1991 CRLA Agreement and Public Works Infrastructure Agreements based on the Department of Finance's determination and instructions for ROPS 14-15A, the Successor Agency and the Oversight Board of the former Stanislaus County Redevelopment Agency continue to disagree with Finance's determination and reserve the right to challenge Finance's determination and reestablish the Agreements as an enforceable obligation.
3. This resolution shall take effect from and after the date of its passage and adoption, February 13, 2014.

BE IT FURTHER RESOLVED that this Oversight Board directs Successor Agency staff to take all actions required by the Redevelopment Agency Dissolution Act (ABx1 26), including but not limited to, forwarding the approved ROPS to the Stanislaus County Auditor-Controller, the California Department of Finance, and the California State Controller's Office for certification and approval, and requesting the opportunity to meet and confer with the Department of Finance if needed.

ATTEST:

APPROVED AS TO FORM:

Brenda McCormick
Oversight Board Clerk

Thomas Boze
Deputy County Counsel



Stanislaus County Successor Agency

1010 10TH Street, Suite 3400, Modesto, CA 95354
Phone: 209.525.6330 Fax: 209.525.5911

DATE: February 13, 2014
TO: Oversight Board of the Former Stanislaus County Redevelopment Agency
FROM: Successor Agency (SA) of the Former Stanislaus County Redevelopment Agency
SUBJECT: **PROPOSED REVISIONS TO THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) 14-15A**

The SA is proposing the following revisions to the proposed ROPS 14-15A:

Report of Cash Balance

Line 3/Column G: This entry has been updated to reflect that the retention amount includes \$4,079 in Successor Housing Agency (SHA) program income deposited in the SA's account during the ROPS 13-14A period. This revision is consistent with the retention amount reported on line 10/Column G for the ROPS 13-14B period.

Line 9/Column G: This entry has been updated to reflect the use of \$106,925 determined by the California Department of Finance (DOF) to be available cash balance during the ROPS 13-14B review. The Redevelopment Property Tax Trust Fund (RPTTF) distributed to the SA for the ROPS 13-14B was reduced by \$106,925 to reflect the DOF's determination of available cash.

Notes

The Notes/Comments have been updated to reflect the revisions described above.

As reflected in the revised ROPS, the "other" funds available to the SA are not adequate to address the \$245,000 reserve needs of the USDA Salida Storm Drain loan. The reserve was not accounted for in past ROPS and, as such, was not factored into the DOF's ROPS 13-14B review of available cash balance. It is not anticipated that the reserve will be needed at any time soon, as the USDA loan repayment obligation is being fully funded and the reestablishment of the reserve can be addressed in a future ROPS cycle. The SA will work with the DOF to determine the best process for restoring the reserve as part of the DOF's ROPS 14-15A review.

The estimated expenditures for the ROPS 13-14B includes the full use of the \$125,000 in RPTTF for administrative obligations distributed to the SA, however, it is anticipated that approximately \$90,000-100,000 will be unspent. The ROPS 13-14B reduction of \$106,925 was taken from the SA as a reduction in the requested administrative obligation.

Collectively, the SA is estimated to end the ROPS 13-14B period with a positive cash balance. The proposed revisions do not alter the original current period requested funding for outstanding debt or obligations reflected on the "summary" page of the proposed 14-15A ROPS.

Attachment 1 – Revised ROPS 14-15A

Recognized Obligation Payment Schedule (ROPS) 14-15A - Report of Cash Balances
(Report Amounts in Whole Dollars)

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.

A	B	C	D	E	F	G	H	I	
		Fund Sources							
		Bond Proceeds		Reserve Balance		Other	RPTTF		
	Cash Balance Information by ROPS Period	Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR balances retained	Prior ROPS RPTTF distributed as reserve for next bond payment	Rent, Grants, Interest, Etc.	Non-Admin and Admin	Comments	
ROPS 13-14A Actuals (07/01/13 - 12/31/13)									
1	Beginning Available Cash Balance (Actual 07/01/13) Note that for the RPTTF, 1 + 2 should tie to columns J and O in the Report of Prior Period Adjustments (PPAs)	-	-	68,692	-	254,566	115,466		
2	Revenue/Income (Actual 12/31/13) Note that the RPTTF amounts should tie to the ROPS 13-14A distribution from the County Auditor-Controller during June 2013	-	-	-	-	4,796	1,196,819		
3	Expenditures for ROPS 13-14A Enforceable Obligations (Actual 12/31/13) Note that for the RPTTF, 3 + 4 should tie to columns L and Q in the Report of PPAs	-	-	-	-	-	1,213,729		
4	Retention of Available Cash Balance (Actual 12/31/13) Note that the RPTTF amount should only include the retention of reserves for debt service approved in ROPS 13-14A	-	-	-	-	249,079	-	See Notes/Comments for Column (G)	
5	ROPS 13-14A RPTTF Prior Period Adjustment Note that the RPTTF amount should tie to column S in the Report of PPAs.	No entry required					99,255		
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ 68,692	\$ -	\$ 10,283	\$ (699)		
ROPS 13-14B Estimate (01/01/14 - 06/30/14)									
7	Beginning Available Cash Balance (Actual 01/01/14) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ -	\$ -	\$ 68,692	\$ -	\$ 259,362	\$ 98,556		
8	Revenue/Income (Estimate 06/30/14) Note that the RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014	-	-	-	-	717	603,840		
9	Expenditures for 13-14B Enforceable Obligations (Estimate 06/30/14)	-	-	68,692	-	106,925	351,818		
10	Retention of Available Cash Balance (Estimate 06/30/14) Note that the RPTTF amounts may include the retention of reserves for debt service approved in ROPS 13-14B	-	-	-	-	249,079	252,022	See Notes/Comments for Column (G) & (H)	
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ -	\$ -	\$ -	\$ -	\$ (95,925)	\$ 98,556		

