REGULAR MEETING OF THE OVERSIGHT BOARD

For the Successor Agency to the former Redevelopment Agency of the City of Redlands

Members of the Board:

Paul Foster, Chairperson, appointed by the Mayor of the City of Redlands
Oscar Orci, Vice Chairperson, appointed by the Mayor, representing former
redevelopment agency employees
Brad Mason, appointed by County Superintendent of Education
Cindy Saks, appointed by County Flood Control District
David Wert, appointed by County Board of Supervisors
Donna Ferracone, appointed by Chancellor of California Community Colleges

AGENDA

The regular meeting of the Oversight Board of the Successor Agency to the former Redevelopment Agency of the City of Redlands is at the date and time noted below in the City Council Chambers, Civic Center, 35 Cajon Street, Redlands, California, on:

THURSDAY, SEPTEMBER 19, 2013 4:00 P.M.

Anyone desiring to speak at this meeting is encouraged, but not required, to turn in a "Speaker Sign-up Sheet." Forms are available prior to the meeting date in the Development Services Department, 210 E. Citrus Avenue, or in the City Council Chambers during the meeting. Speakers are limited to three (3) minutes each. Speakers may not "donate" their time to others.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Jason Montgomery of Municipal Utilities & Engineering Department, 909-798-7584 x5. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

NOTE: Any writings or documents distributed to a majority of the Oversight Board regarding an open session agenda item less than 72 hours before this meeting are available for public inspection at the Development Services Department.

I. CALL TO ORDER AND PUBLIC COMMENT PERIOD - 3 MINUTES

(At this time, the public has the opportunity to address the Oversight Board on any item of interest within the subject matter jurisdiction of the Oversight Board that does not appear on this agenda. The Oversight Board may not discuss or take any action on any public comment made, except that the Oversight Board members or Successor Agency staff may briefly respond to statements made or questions posed by members of the public)

II. CONSENT CALENDAR/APPROVAL OF MINUTES

- A. Consideration to adopt Resolution No. OB 2013-028; approval of the consent calendar for the September 19, 2013 Regular Meeting for the following matters:
 - i. Minutes of the July 18, 2013 Regular Meeting

III. COMMUNICATIONS

None.

IV. NEW BUSINESS

- A. Consideration of Resolution No. OB 2013-030 approving a corrected promissory note which adjusts the principal amount of a loan owed to the City of Redlands by the Successor Agency downward from \$65,607.37 to \$28,922.75.
- B. Consideration of Resolution No. OB 2013-029 approving the Recognized Obligation Payment Schedule for January 1, 2014 to June 30, 2014 (ROPS 13-14B). The Recognized Obligation Payment Schedule sets for the payment amounts required for enforceable obligations for the sixmonth fiscal period.

V. OLD BUSINESS

None.

VI. ADJOURNMENT

MIKE NELSON

Economic Development Manager

Successor Agency Staff

RESOLUTION NO. OB 2013-028

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS APPROVING THE CONSENT CALENDAR FOR THE SEPTEMBER 19, 2013 **OVERSIGHT BOARD MEETING**

WHEREAS, the Oversight Board to the Successor Agency to the former Redevelopment Agency of the City of Redlands (the "Oversight Board") has taken up for consideration the consent calendar for the September 19, 2013 meeting of the Oversight Board; and

WHEREAS, Section 34179(e) of the Health and Safety Code requires all actions by the Oversight Board to be taken by resolution;

NOW, THEREFORE, BE IT RESOLVED, BY the Oversight Board of the Successor Agency to the former Redevelopment Agency of the City of Redlands as follows:

The Oversight Board hereby approves the consent calendar for the Section 1. September 19, 2013 meeting of the Oversight Board which consists solely of the minutes for the Board's July 18, 2013 regular meeting.

Section 2. The Secretary for the Oversight Board shall certify to the adoption of this Resolution.

Section 3. Pursuant to California Health and Safety Code section 34179, all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for five (5) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED and ADOPTED at a special meeting of the Oversight Board of the Ċ

	velopment Agency of the City of Redlands held this
day of September, 2013 by the following	ng vote:
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
*	
	Paul Foster, Chairperson
	Oversight Board of Successor Agency
	To Redevelopment Agency
ATTEST:	
Timbo Ma Chadan 1	
Linda McCasland	
Oversight Board Secretary	

Minutes of the Regular meeting of the Oversight Board for the Successor Agency of the Former Redevelopment Agency of the City of Redlands held in the Council Chambers, 35 Cajon Street, on July 18, 2013 at 4:30 P.M.

PRESENT: Paul Foster, Chairman

Donna Ferracone, Board Member Brad Mason, Board Member David Wert, Board Member

ABSENT: Vice Chairman Oscar Orci, Board Member Cindy Saks, and Board

Member Jose Sandoval all excused.

STAFF: Dan McHugh, City Attorney

Tina Kundig, Finance Director/City Treasurer Mike Nelson, Economic Development Manger

I. CALL TO ORDER AND PUBLIC COMMENT PERIOD - 3 MINUTES

(At this time, the public has the opportunity to address the Oversight Board on any item of interest within the subject matter jurisdiction of the Oversight Board that does not appear on this agenda. The Oversight Board may not discuss or take any action on any public comment made, except that the Oversight Board members or Successor Agency staff may briefly respond to statements made or questions posed by members of the public)

Chairman Paul Foster opened up the Public Comment Period. There were no comments forthcoming and the Public Comment Period was closed.

II. CONSENT CALENDAR

- A. Consideration to adopt Resolution No. OB 2013-026; approval of the consent calendar for the July 18, 2013 Regular meeting for the following matter:
 - i. Minutes of February 14, 2013 Special Meeting

Chairman Foster opened up the Hearing. There were no comments forthcoming and the Hearing was closed.

MOTION

It was moved by Board Member Brad Mason, seconded by Board Member David Wert, and carried on a 4-0-3 vote (Vice Chairman Orci, Board Member Cindy Saks and Board Member Jose Sandoval absent) that the Oversight Board approve Resolution No. OB 2013-026.

III. COMMUNICATIONS-None

IV. NEW BUSINESS

Resolution No. OB 2013-027 – Approval of a loan in the amount of \$75,000 from the City of Redlands to the Successor Agency for estimated litigation expenses.

Chairman Foster opened up the Hearing. There were no comments forthcoming and the Hearing was closed.

MOTION

It was moved by Board Member Wert, seconded by Board Member Ferracone, and carried on a 4-0-3 vote (Vice Chairman Orci, Board Member Cindy Saks and Board Member Jose Sandoval absent) that the Oversight Board approve Resolution No. OB 2013-027.

V. OLD BUSINESS

None

VI. ADJOURNMENT TO THE AUGUST 15, 2013 OVERSIGHT BOARD MEETING.

There being no further business to address, Chairman Foster adjourned the meeting at 4:45 p.m. to the regularly scheduled Oversight Board meeting of August 15, 2013.

REQUEST FOR OVERSIGHT BOARD ACTION

SUBJECT: CONSIDERATION OF RESOLUTION NO. OB 2013-030 APPROVING A

CORRECTED PROMISSORY NOTE WHICH ADJUSTS THE PRINCIPAL AMOUNT OF A LOAN OWED TO THE CITY OF REDLANDS BY THE SUCCESSOR AGENCY DOWNWARD FROM \$65,607.37 TO \$28,922.75.

MOTION:

"I move to approve Resolution No. OB 2013-030."

DISCUSSION

On July 11, 2012 the Successor Agency to the former Redevelopment Agency of the City of Redlands (the "Successor Agency") received a demand for payment in the amount of \$2,601,269 (the "Payment") from the San Bernardino County Auditor-Controller/ Treasurer/Tax Collector pursuant to Section 34183.5(b)(2)(A) of the Health and Safety Code. On July 12, 2012, the Successor Agency made the Payment to the County of San Bernardino Auditor-Controller/Treasurer/Tax Collector, but did not have sufficient funds available to make the Payment in its entirety, and therefore requested a loan of \$65,607.37 from the City of Redlands to assist in making the Payment.

Pursuant to Section 34173(h) of the Health and Safety Code, the city that authorized the creation of a redevelopment agency may loan or grant funds to a successor agency for administrative costs, enforceable obligations, or project-related expenses. The receipts of funds are required to be reflected on the Recognized Obligation Payment Schedule (ROPS) or the administrative budget of the Successor Agency and therefore are subject to the oversight and approval of the Oversight Board. As such, the City agreed to make a loan of \$65,607.37 to the Successor Agency for the purpose of making the Payment. The loan was approved by the Oversight Board by Resolution No. OB 2012-010 on July 25, 2012.

Following Oversight Board approval, the Successor Agency executed a promissory note dated July 11, 2012 committing to repay the principal amount of \$65,607.37 to the City (the "Original Note"). The Successor Agency included repayment of the Original Note on its ROPS III for the period from January-June 2013, and the repayment was approved by the Oversight Board, but was subsequently overturned by the Department of Finance. The Successor Agency and the City disagree with the Department of Finance's determination on ROPS III denying the repayment of the Original Note, and have filed a lawsuit in Sacramento Superior Court challenging, among other things, denial of the repayment on the Original Note.

Following reconciliation of the Successor Agency's accounts, it was determined that it had not needed the full \$65,607.37 to make the Payment, and in fact, only used \$28,922.75 of the funds received from the City to make the payment. The City and Successor Agency acknowledge that the Successor Agency's obligation to repay the Original Note is currently

Oversight Board Meeting of **09/19/13** Corrected Promissory Note Page 2 of 3

in dispute with the State Department of Finance, but desire that the documentation related to the loan made for the Payment accurately reflect the amount actually provided to the Successor Agency to make the Payment, and further desire that those amounts that were unnecessarily transferred to the Successor Agency be transferred back to the City.

Therefore, it is recommended that the Oversight Board approve and accept Resolution No. OB 2013-030 and the Corrected Promissory Note attached to the resolution as Exhibit A, which confirms that the amount actually loaned to the Successor Agency is \$28,922.75. Staff also recommends that the Oversight Board direct the Successor Agency to reflect the receipt of the correct amount of funds on the Recognized Obligation Payment Schedule and to transfer \$36,684.62 in City funds that were never used to make the Payment back to the City.

ATTACHMENTS:

- 1. Resolution No. OB 2013-030
- 2. Exhibit A Corrected Promissory Note

Oversight Board Meeting of 09/19/13 Corrected Promissory Note Page 3 of 3

Respectfully submitted,

MIKĘ/NELSÓN

Economic Development Manager

Successor Agency to the Redevelopment Agency

TINA T. KUNDIG

Finance Director

Successor Agency to the Redevelopment Agency

Approved for submission by:

N. ENRIQUE MARTINEZ

Executive Director,

Successor Agency to the Redevelopment Agency

DANIEL J. McHUGH

General Counsel,

Successor Agency to the Redevelopment Agency

RESOLUTION NO. OB-2013-030

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS APPROVING A CORRECTED PROMISSORY NOTE WHICH ADJUSTS THE PRINCIPAL AMOUNT OF A LOAN OWED TO THE CITY OF REDLANDS BY THE SUCCESSOR AGENCY DOWNWARD FROM \$65,607.37 TO \$28,922.75

WHEREAS, on July 11, 2012 the Successor Agency to the former Redevelopment Agency of the City of Redlands (the "Successor Agency") received a demand for payment in the amount of \$2,601,269 (the "Payment") from the San Bernardino County Auditor-Controller/Treasurer/Tax Collector pursuant to Section 34183.5(b)(2)(A) of the Health and Safety Code; and

WHEREAS, on July 12, 2012, the Successor Agency made the Payment to the County of San Bernardino Auditor-Controller/Treasurer/Tax Collector, but did not have sufficient funds available to make the Payment in its entirety, and therefore requested a loan of \$65,607.37 from the City of Redlands to assist in making the Payment; and

WHEREAS, pursuant to Section 34173(h) of the Health and Safety Code, the city that authorized the creation of a redevelopment agency may loan or grant funds to a successor agency for administrative costs, enforceable obligations, or project-related expenses. The receipt of the funds shall be reflected on the Recognized Obligation Payment Schedule (ROPS) or the administrative budget of the Successor Agency and therefore are subject to the oversight and approval of the Oversight Board; and

WHEREAS, the City agreed to make a loan of \$65,607.37 to the Successor Agency for the purpose of making the Payment, which loan was approved by the Oversight Board by Resolution No. OB 2012-010 on July 25, 2012; and

WHEREAS, the Successor Agency forwarded Resolution No. OB 2012-010 to the Department of Finance for review, and did not object to the Oversight Board's action; and

WHEREAS, following Oversight Board approval, the Successor Agency executed a promissory note dated July 11, 2012 committing to repay the principal amount of \$65,607.37 to the City (the "Original Note"); and

WHEREAS, the Successor Agency included repayment of the Original Note on its ROPS III for the period from January-June 2013, and the repayment was approved by the Oversight Board, but was subsequently overturned by the Department of Finance; and

WHEREAS, the Successor Agency and the City disagree with the Department of Finance's determination on ROPS III denying the repayment of the Original Note, and have filed a lawsuit in Sacramento Superior Court challenging, among other things, denial of the repayment on the Original Note; and

WHEREAS, following reconciliation of the Successor Agency's accounts, the Successor Agency staff determined that it had not needed the full \$65,607.37 to make the Payment, and in fact only used \$28,922.75 of the funds received from the City to make the payment; and

WHEREAS, the City and Successor Agency acknowledge that the Successor Agency's obligation to repay the Original Note is currently in dispute with the State Department of Finance, but desire that the documentation related to the loan made for the Payment accurately reflect the amount actually provided to the Successor Agency to make the Payment, and further desire that those amounts that were unnecessarily transferred to the Successor Agency be transferred back to the City; and

WHEREAS, the City and Successor Agency therefore desire to correct the Original Note to reflect the amount actually loaned by the City to the Successor Agency, and return the funds unnecessarily forwarded to the Successor Agency back to the City; and

NOW, THEREFORE, BE IT RESOLVED, BY the Oversight Board of the Successor Agency to the former Redevelopment Agency of the City of Redlands as follows:

- **Section 1.** The Oversight Board hereby approves the Corrected Promissory Note attached hereto as Exhibit A, which confirms that the amount actually loaned to the Successor Agency is \$28,922.75.
- **Section 2.** The Oversight Board hereby directs the Successor Agency to reflect the receipt of the correct amount of funds on the Recognized Obligation Payment Schedule and to transfer the \$36,684.62 in City funds that were never used to make the Payment back to the City.
- **Section 3.** The Secretary for the Oversight Board shall certify to the adoption of this Resolution.
- **Section 4.** Pursuant to California Health and Safety Code section 34179, all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for five (5) business days, pending a request for review by the State of California Department of Finance.

AYES:	
NOES:	
ABSENT:	
ABSTAINED:	
	Paul Foster, Chairperson
	Oversight Board of the Successor Agency
	to the former Redevelopment Agency
ATTEST:	
Linda McCasland	
Oversight Board Secretary	

PASSED, APPROVED AND ADOPTED at a regular meeting of the Oversight Board of

the Successor Agency to the former Redevelopment Agency of the City of Redlands held this

19th day of September, 2013 by the following vote:

EXHIBIT A

CORRECTED PROMISSORY NOTE

[Attached behind this cover page]

CORRECTED PROMISSORY NOTE

\$28,922.75

September 17, 2013 Redlands, California

For value received, the Successor Agency to the former Redevelopment Agency of the City of Redlands (the "Borrower") promises to pay to the CITY OF REDLANDS, a public body, corporate and politic (the "City"), at the City's office at 35 Cajon Street, Redlands, California 92373, or such other place as the City may designate in writing, the principal sum of Twenty Eight Thousand Nine Hundred Twenty-Two and Seventy-Five One Hundredths Dollars (\$28,922.75) (the "Corrected Principal Amount"), in currency of the United States of America, which at the time of payment is lawful for the payment of public and private debts On or about July 11, 2012, the Borrower executed that certain Promissory Note (the "Original Promissory Note") to repay the City the principal sum of Sixty Five Thousand Six Hundred Seven and Thirty Seven One Hundredths Dollars (\$65,607.37) (the "Original Principal Amount") which the City lent to the Borrower for the sole purpose of satisfying in part a demand for payment in the amount of \$2,601,269.00 from the County of San Bernardino Auditor-Controller (the "True Up Payment"). After reconciling the accounts of the Borrower, the Borrower and City confirmed that the Borrower only used \$28,922.75 of the funds lent by the City to make the True Up The remaining amount of the Original Principal Amount was not used by the Borrower for any purpose and has been returned to the City. The Corrected Promissory Notice is executed solely for the purpose of correcting the principal amount owed by the Borrower to the City, and in all other respects restates and reaffirms the terms and provisions of the Original Upon execution of this Corrected Note, the Original Note shall be returned to the Borrower and shall be of no further force or effect.

- 1. Interest. Simple interest shall accrue upon the Note Amount at the rate of thirty-eight one hundredths of one percent (0.38%) per annum upon such obligation, fully amortized over the term (the "Term") ending as of June 30, 2017 (the "Maturity Date"); excepting that in the event of the occurrence of any Event of Default, interest shall thereupon accrue at the rate of ten percent (10%) per annum (provided that in the event such interest rate exceeds the maximum interest which may be lawfully charged, then this Note shall be deemed to instead provide for interest to be charged at the highest interest rate that may be charged pursuant to applicable laws).
- 2. Repayment of Note Amount. Payment shall be due in full; including accrued interest, on the Maturity Date. If the Note is not paid upon the Maturity Date, the failure to make the payment shall be an event of default by the Borrower. There shall not be a penalty if the Note is paid in full prior to the Maturity Date.

3. Waivers.

- (a) The Borrower expressly agrees that this Note, or any payment hereunder, may be extended from time to time at the sole discretion of the City Manager and that the City may accept security in consideration for any such extension or release any security for this Note at its sole discretion, all without in any way affecting the liability of the Borrower.
- (b) No extension of time for payment of this Note made by agreement by the City with any

person now or hereafter liable for the payment of this Note shall operate to release, discharge, modify, change or affect the original liability of the Borrower under this Note, either in whole or in part.

- (c) The obligations of the Borrower under this Note shall be absolute and the Borrower waives any and all rights to offset, deduct or withhold any payments or charges due under this Note for any reasons whatsoever.
- (d) The Borrower waives presentment, demand, notice of protest and nonpayment, notice of default or delinquency, notice of acceleration, notice of costs, expenses or leases or interest thereon, notice of dishonor, diligence in collection or in proceeding against any of the rights of interests in or to properties securing of this Note, and the benefit of any exemption under any homestead exemption laws, if applicable.
- (e) No previous waiver and no failure or delay by the City in acting with respect to the terms of this Note shall constitute a waiver of any breach, default, or failure or condition under this Note. A waiver of any term of this Note must be made in writing and shall be limited to the express written terms of such waiver.
- 4. Attorneys' Fees and Costs. The Borrower agrees that if any amounts due under this Note are not paid when due, to pay in addition, all costs and expenses of collection and reasonable attorneys' fees paid or incurred in connection with the collection or enforcement of this Note, whether or not suit is filed.
- 5. Amendments and Modifications. This Note may not be changed orally, but only by an amendment in writing signed by the Borrower and by the City.
- 6. City May Assign. The City may, at its option, assign its right to receive payment under this Note without necessity of obtaining the consent of the Borrower.
- 7. **Borrower Assignment Prohibited.** In no event shall the Borrower assign or transfer any portion of this Note without the prior express written consent of the City, which consent may be given or withheld in the City's sole discretion.
- 8. Acceleration and Other Remedies. Upon the occurrence of the event of default set forth in Section 3 hereof, the City may, at the City's option, declare the outstanding principal amount of this Note, together with the then accrued and unpaid interest thereon and other charges hereunder, to be due and payable immediately, and upon such declaration, such principal and interest and other sums shall immediately become and be due and payable without demand or notice. All costs of collection, including, but not limited to, reasonable attorneys' fees may be added to the principal hereunder, and shall accrue interest as provided herein. Any delay or omission on the part of the City in exercising any right hereunder shall not operate as a waiver of such right, or of any other right. No single or partial exercise of any right or remedy hereunder shall preclude other or further exercises thereof, or the exercise of any other right or remedy. The acceptance of payment of any sum payable hereunder, or part thereof, after the due date of such payment shall not be a waiver of the City's right to either require prompt payment when due of all other sums payable hereunder or to declare an event of default for failure to make prompt or complete payment.
- 9. Consents. The Borrower hereby consents to: (a) any renewal, extension or modification (whether one or more) of the terms or time of payment under this Note, (b) the granting of any other indulgences to the Borrower, and (c) the taking or releasing of other or additional parties primarily

or contingently liable hereunder. Any such renewal, extension, modification, release, surrender, exchange or substitution may be made without notice to the Borrower or to any endorser, guarantor or surety hereof, and without affecting the liability of said parties hereunder.

- 10. Successors and Assigns. Whenever "City" is referred to in this Note, such reference shall be deemed to include the City of Redlands and its successors and assigns, including, without limitation, any subsequent assignee or holder of this Note. All covenants, provisions and agreements by or on behalf of the Borrower shall inure to the benefit of the City and the City's successors and assigns.
- 11. Usury. It is the intention of the Borrower and the City to conform strictly to the Interest Law, as defined below, applicable to this loan transaction. Accordingly, it is agreed that notwithstanding any provision to the contrary in this Note the aggregate of all interest and any other charges or consideration constituting interest under the applicable Interest Law that is taken, reserved, contracted for, charged or received under this Note shall under no circumstances exceed the maximum amount of interest allowed by the Interest Law applicable to this loan transaction. If any excess of interest in such respect is provided for in this Note, then, in such event:
 - (a) The provisions of this paragraph shall govern and control;
- (b) Neither the Borrower nor the Borrower's, legal representatives, successors or assigns shall be obligated to pay the amount of such interest to the extent that it is in excess of the maximum amount of interest allowed by the Interest Law applicable to this loan transaction;
- (c) Any excess shall be deemed canceled automatically and, if theretofore paid, shall be credited on this Note by the City or, if this Note shall have been paid in full, refunded to the Borrower; and
- (d) The effective rate of interest shall be automatically subject to reduction to the Maximum Legal Rate of Interest (as defined below), allowed under such Interest Law, as now or hereafter construed by courts of appropriate jurisdiction. To the extent permitted by the Interest Law applicable to this loan transaction, all sums paid or agreed to be paid to the City for the use, forbearance or detention of the indebtedness evidenced hereby shall be amortized, prorated, allocated and spread throughout the full term of this Note. For purposes of this Note, "Interest Law" shall mean any present or future law of the State of California, the United States of America, or any other jurisdiction which has application to the interest and other charges under this Note. The "Maximum Legal Rate of Interest" shall mean the maximum rate of interest that the City may from time to time charge Borrower, and under which the Borrower would have no claim or defense of usury under the Interest Law.
- 12. Miscellaneous. Time is of the essence hereof. This Note shall be governed by and construed under the laws of the State of California except to the extent Federal laws preempt the laws of the State of California. The Borrower irrevocably and unconditionally submits to the jurisdiction of the Superior Court of the State of California for the County of San Bernardino, in connection with any legal action or proceeding arising out of or relating to this Note. The Borrower also waives any objection regarding personal or in rem jurisdiction or venue.

SIGNATURE PAGE TO CORRECTED PROMISSORY NOTE

	BORROWER:
	SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS
	By: N. Enrique Martinez, Executive Director
	Date:
ATTEST:	
D. 10	
By: Sam Irwin, Secret	cary

REQUEST FOR OVERSIGHT BOARD ACTION

SUBJECT: CONSIDERATION OF RESOLUTION NO. OB 2013-029 APPROVING THE

RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY

THROUGH JUNE 2014.

MOTION:

"I move to approve Resolution No. OB 2013-029."

DISCUSSION

The Oversight Board to the Successor Agency to the Redevelopment Agency of the City of Redlands (the "Oversight Board") has been established to direct the Successor Agency to take certain actions to wind down the affairs of the former Redevelopment Agency in accordance with the California Health and Safety Code.

For every six-month period, until all financial obligations of the former redevelopment agency are paid, the Successor Agency is required to adopt a Recognized Obligation Payment Schedule (ROPS) that projects the dates and amounts of scheduled payments for each enforceable obligation (debt). In addition, the ROPS includes an administrative budget for staff costs and administrative expenses of the Successor Agency. The ROPS requires Oversight Board approval prior to submitting it to the California Department of Finance.

To date, this is the fifth ROPS reporting cycle. The California Department of Finance has designated the ROPS for the January 1, 2014 to June 30, 2014 period as "ROPS 13-14B." This designation reflects the fiscal year and the six-month period within that fiscal year. The previous ROPS 13-14A reflected the July to December 2013 reporting period, which was the first half of the fiscal year, and the current ROPS 13-14B will designate the period from January 2014 to June 2014 (the remaining portion of the fiscal year).

ACTION:

To comply with the DOF's ROPS submittal requirements for ROPS 13-14B, and to meet the deadline of October 1, 2013, Successor Agency staff has prepared ROPS 13-14B for approval by the Oversight Board. As with all previous ROPS, ROPS 13-14B is subject to review and approval by the California Department of Finance.

ATTACHMENTS:

- 1. Resolution No. OB 2013-029
- 2. Recognized Obligation Payment Schedule for January to June 2014 (ROPS 13-14B)

Oversight Board Meeting of **09/19/13** Consideration of Approval of the ROPS 13-14B Page 2 of 2

Respectfully submitted,

MIKE NELSON

Economic Development Manager

Successor Agency to the Redevelopment Agency

TINA T. KUNDIG

Finance Director

Successor Agency to the Redevelopment Agency

Approved for submission by:

N. ENRIQUÉ MARTINEZ

Executive Director,

Successor Agency to the Redevelopment Agency

DANIEL J. M&HUGH

General Counsel,

Successor Agency to the Redevelopment Agency

RESOLUTION NO. OB-2013-029

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF REDLANDS APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY 1, 2014 TO JUNE 30, 2014

WHEREAS, pursuant to Health and Safety Code section 34177(l)(2)(A) the Successor Agency to the former Redevelopment Agency of the City of Redlands (the "Successor Agency") has prepared a Recognized Obligation Payment Schedule for January 1, 2014 to June 30, 2014 (the "ROPS"); and

WHEREAS, pursuant to Health and Safety Code section 34177(1)(2)(B) the ROPS shall be submitted to and duly approved by the Oversight Board; and

WHEREAS, pursuant to Health and Safety Code section 34177(l)(2)(B) the Successor Agency has submitted a copy of the ROPS to the county administrative officer, the county auditor-controller, and the Department of Finance at the same time that the Successor Agency submitted the ROPS to the Oversight Board for approval;

NOW, THEREFORE, BE IT RESOLVED, BY the Oversight Board of the Successor Agency to the former Redevelopment Agency of the City of Redlands as follows:

- Section 1. The Oversight Board hereby approves and adopts the ROPS, in substantially the form attached to this Resolution as Exhibit "A," pursuant to Health and Safety Code section 34177.
- Section 2. The Oversight Board hereby directs the Successor Agency to submit copies of the ROPS approved by the Oversight Board to the County of San Bernardino Auditor-Controller, the State of California Controller and the State of California Department of Finance and to post the ROPS on the Successor Agency's website.
- Section 3. The Secretary for the Oversight Board shall certify to the adoption of this Resolution.
- Section 4. Pursuant to California Health and Safety Code section 34179, all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for five (5) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED and ADOPTED at an adof the Successor Agency to the former Redevelop 19 th day of September, 2013 by the following vote	oment Agency of the City of Redlands held this
AYES: NOES: ABSENT: ABSTAIN:	
	Paul Foster, Chairperson Oversight Board of the Successor Agency to the former Redevelopment Agency
ATTEST:	
Linda McCasland Oversight Board Secretary	

EXHIBIT "A"

Recognized Obligation Payment Schedule for January 1, 2014 to June 30, 2014 (ROPS 13-14B)

Recognized Obligation Payment Schedule (ROPS 13-14B) - Summary Filed for the January 1, 2014 through June 30, 2014 Period

Name	Name of Successor Agency: Redlands	
Name	Name of County:	
,		
Currer	Current Period Requested Funding for Outstanding Debt or Obligation	Six-Month Total
4	Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding Sources (B+C+D):	.
В	Bond Proceeds Funding (ROPS Detail)	1
O	Reserve Balance Funding (ROPS Detail)	•
Ω	Other Funding (ROPS Detail)	1
ш	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 4,300,620
ш	Non-Administrative Costs (ROPS Detail)	4,175,620
O	Administrative Costs (ROPS Detail)	125,000
I	Current Period Enforceable Obligations (A+E):	\$ 4,300,620
Succe	Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
_	Enforceable Obligations funded with RPTTF (E):	4,300,620
7	Less Prior Period Adjustment (Report of Prior Period Adjustments Column U)	1
¥	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 4,300,620
County	County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	No.
J	Enforceable Obligations funded with RPTTF (E):	4,300,620
Σ	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AB)	
Z	Adjusted Current Period RPTTF Requested Funding (L-M)	4,300,620
Certific	Certification of Oversight Board Chairman:	
Pursua hereby Obligat	Pursuant to Section 34177(m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Dayment Schedule for the above pages of accounts	Title
	Signature	Date

Recognized Obligation Payment Schedule (ROPS) 13-14B - Report of Fund Balances

(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177(f), 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. (76,455)64,420 619,810 1,902,804 3,760,813 975,313 2,849,920 2,971,652 Total (118,527) \$ 118,527 (118,527) (118,527) 125,000 125,000 Admin RPTTF 69 1,926,824 \$ (37,435) (37,435) 247,583 619,810 3,745,726 856,786 2.926.375 2,831,652 Non-Admin 94,507 \$ 79,507 79,507 15,000 64,420 15,087 Rent, Grants, Interest, Etc. Other Fund Sources 4 RPTTF balances retained for bond reserves 2,926,375 ,926,375 Reserve Balance Review balances No entry required approved enforceable obligations retained for ш Bonds Issued on or after 01/01/11 ۵ **Bond Proceeds** 69 Bonds Issued on or before 12/31/10 ROPS III RPTTF Prior Period Adjustment Note that the net Non-Admin and Admin RPTTF amounts should tie to columns O and T Expenditures for ROPS III Enforceable Obligations (Actual 06/30/13) Note that for the RPTTF, 3 + 4 should tie to columns N Beginning Available Fund Balance (Actual 07/01/13) (C, D, E, G, and I = 4 + 6, F = H4 + F6, and H = 5 + 6)
Revenue/Income (Estimate 12/31/13) the Report of Prior Period Adjustments (PPAs)
RevenueIncome (Actual 06/30/13) Note that the RPTTF
amounts should tie to the ROPS III distributions from the County ROPS III Actuals (01/01/13 - 6/30/13)

Beginning Available Fund Balance (Actual 01/01/13)

Note that for the RPTTF, 1 + 2 should tie to columns L and Q in and S in the Report of PPAs
Retention of Available Fund Balance (Actual 06/30/13) Note
that the Non-Admin RPTTF amount should only include the Note that the RPTTF amounts should tie to the ROPS 13-14A distributions from the County Auditor-Controller Expenditures for 13-14A Enforceable Obligations Retention of Available Fund Balance (Estimate 12/31/13) 11 Ending Estimated Available Fund Balance (7 + 8 - 9 -10) Ending Actual Available Fund Balance (1 + 2 - 3 - 4 - 5) retention of reserves for debt service approved in ROPS III Note that the RPTTF amounts may include the retention of Fund Balance Information by ROPS Period reserves for debt service approved in ROPS 13-14A ROPS 13-14A Estimate (07/01/13 - 12/31/13) in the Report of PPAs. (Estimate 12/31/13) Auditor-Controlle 10 4 7 2

Recognized Obligation Payment Schedule (ROPS) 13-14B - ROPS Detail January 1, 2014 through June 30, 2014 (Report Amounts in Whole Dollars)

	a.			Six-Month Total	4,300,620	1,003,264	1,812,181	788,959	373,670	8,750	2,717	720	1,200	1,250	900	5,000	1,200	1,686	200	7,750	5,000	1,550	2,400	16,986	10,000	1,350	Activities and a second	10,000		098'69	19,793	366	153	570	570	756	1,974
	0				\$ 000,621	S	69	S	50	S	2,717 \$	720 \$	S	S	200 \$	S	1,200 \$	68 837 \$	200 \$	7,750 \$	5,000 \$	1,550 \$	2,400 \$	en.	co	1,350 \$	S	vs.	69	69		3,390 %		\$ 029	570 \$	756 \$	1,974 \$
	z		RPITE	Non-Admin	4,175,620	1,003,264	1,812,181	788,959	373,670	8,750			1,200	1,250		2,000								16,986	10,000			10,000		098'69		1					000 32
	×	Funding Source	ix Trust Fund	Other Funds																																	
	7		Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)	Reserve Balance	0																											1					
	×		Non-Redeve	Bond Proceeds																																	
	7			Retired	z	z	z	z	z	z	z	z	z	z	z	z	z	zz	z	z	zz	z	z	z	z	z	>	z	>	z			z			zz	
	_			Total Outstanding Debt or Obligation	28,923	3,005,769	17,492,575	7,524,219	376,048	166,250	299,173	79,280	22,800	23,750	9,500	95,000	22,800	185,584	3,800	147,350	95,000	29,450	45,600	50,958	30,000	28,650		30,000		096'69	2,244,897	593,930	16,887	10,830	10,830	20,292	37,506
ole Dollars)	Ξ			Project Area	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown	Downtown
(report Amounts in whole Dollars)	9		38.	Description/Project Scope	mand	Loan from city to pay enforceable	to fund non-housing	sue to fund housing/non-	and housing projects	Annual fiscal agent fees for bond lissues	lebt service administration	Bond debt services advisory services	Bond debt service advisory services	Annual continuing disclosure for bond lissues	I tax sharing calculation updates	П	П	Management of the Oversight Board	sposal charges	stance service		Janitorial services and supplies	ontract	Management and upkeep of real property	Administration of disposition of real property	vice on disposition of real	dvice on Agency dissolution	Disposition of real property	Real estate advisory services	EIR and Downtown Specific Plan		Successor Agency administration	T	41	П	Successor Agency administration	П
	Ľ			Payee	City of Redlands	City of Redlands	US Bank B	US Bank B	US Bank B	US Bank A		City of Redlands B	Stradling Yocca Carlson & B	d Best Practices	HdL Coren & Cone A	P	П	T	City of Redlands V	П		Custom Service Systems J		City of Redlands N	City of Redlands A		st & Krieger LLP	Various	Kosmont & Associates F	Torti Gallas and Partners	City of Redlands					City of Redlands	
	ш			Contract/Agreement Termination Date	6/30/2014	6/30/2014	08/01/2022	08/01/2022	08/01/2022	08/01/2022	08/01/2022	08/01/2022	08/01/2022	08/01/2022	08/01/2022			07/101/2016			08/01/2022		08/01/2022	06/30/2014	06/30/2014	08/01/2022	06/30/2014	6/30/2014	06/30/2012	06/30/2014	08/01/2022		Ī				08/01/2022
	Q			Contract/Agreement Execution Date	07/26/2012 6	07/26/2012 6	2/01/1998 0	11/01/2003 0	08/01/2007	01/01/2014 0				07/18/2008 0	02/17/2004 0			07/16/2007		01/01/2014 0			01/01/2014 0						04/27/2011 0	09/05/2006 0		01/01/2014			01/01/2014 0		01/01/2014 0
	v	-		Obligation Type	City/County Loans 07	oans	4 On or 1	ter	sued On or 2/31/10	-	Project Management 01/01/2014 Costs	Project Management 01/01/2014 Costs	Legal 11	Fees 07	Fees 02						Admin Costs 07		Admin Costs 01	Property 01 Maintenance	Property Dispositions 01/01/2014	Property Dispositions 01/01/2014	Legal 01	Property Dispositions 01/01/2014			Admin Casts 07	1		Admin Casts 01	Admin Cests 01		Admin Costs 07
	ω.		103	Project Name / Debt Obligation	Loan for Demand Payment C			Tax Allocation Refunding		Fiscal Agent Fees	ve Costs		$\overline{}$	isclosure	Contract for Tax Sharing Fr	es		15 Lease of Office Space A			T	20 Lease of Office Space - Janitorial A			ve Costs		25 Contract for Legal Services Le			c Plan	Staff Salaries and Benefits A		arge	Meetings and Professional Av Development	11	1	37 Other Administrative/Office Costs A
	4			Item #	- L	2 10	3 19 Bc	4 2C	5 20	9 H	7 Er	© ®	6 6	10 Cc	11		13 5	15 Le	16 Le	17 Le	19 Le	20 Le	21			24 Cit	25 Ct	3	27 Cc	28 EII	29 St	31 5			34 Tr	36 Ao	37 00

The continue of the continue	III Successor Agency (SA) ed for the ROPS 13-14B (Ja	Self-reported Prior Perior nuary through June 2014) p	d Adjustments ((PPA)Pursuant	to HSC Section	34186 (a), SAs	are required to re	sport the difference SC Section 34186	is between their actu	al available fund	(Repent/Amounts in Winder Della) (Repent/Amounts in Winder Manager (The amounts) (Repent/Amounts and in Winder (The Amounts) (Repent/Amounts) (Repe	Report Amount	thin Whele Dellars) of the ROPS III (Jugare subject to aur	uly through Decen	nber 2013) period.	The amount of Red	levelopment Proj	enty Tax Trust Fund (RP REPS III CAC P	PA:To be comp	leted by the CAC up	on submittel of the RC	OPS 13-14B by	the SA to Finan	ice and the
The continue of the continue	8	0	<u> </u>			x	-	7	¥		2		0	4	2	9	-	3	>	*	×	>	2	*	V9
Particular control Particu				Non-RPT	TF Expenditur	90										RP	TTF Expenditur	98					-		
The continue between the con		LMIHF (Includes LMINF Due Dilge Review (DDR) retnined balan		d Proceeds	Reserv (includes Other DOR relati	re Balance r Funds and Assels and balances)		und 6		Nev	n-Admin				Adm	ų		Nat SA Non-Ads and Admin PP.	ela T	Non-Admin GAG		Ade	nin CAG	194	Net CAC No limb and Ad PPA
	Kem # Project Name / Delxt Obfigati	Authorized			Authorized		Authorized											Nat Difference (Amount Used (Amount Used) han S. Offset ROPS 13-, ca is Requested RPT			Officence (If Vis less than W. the deference is	NetLeaser of Authorized / Australia		Merence Understand State Control Contr	Nat Differ on Amount Use set ROPS 13 quested RP
	Lean for Demand Payment		65	**				11	6,908,377 \$		3 911.	101. 8		101	100		.627 \$.,	42				11	
The continue of the continue	2 Lean for Enforceable Obligate	puc							3,157,400	122.665 \$	1		Wilder or an annual service of the s	-											
	1998 A Tax Alecation Relund 3 Bends	Sup								2.187.598 \$			The state of the s			1				N. S. C.					
1	4 Bends	juj								942.394 \$		-								A STATE OF THE PARTY OF THE PAR					
	5 2007 A Tax Alecation Bonds								467,758	467,758 \$		407,759 \$	STANCE.			Service.	8	Service S		ON CONTRACTOR		spirate state (September 1950)	ACCOUNTAGES S		
	Frical Agont Foos FreshvoolAdministrative Cost		1	1		I			8,760		- 00.000.00	\$ -	- COUNTY		**		49				5				
	City Allomey Services			-							- Contract		- Constitution of the Cons	4.000		16	1.203 \$								
The control of the	Contract for Legal Services								1,200	3,481 \$	1,200	3,481 \$	-0200			- Annual			· DEPOSESSESSES	Records and states		CAR INSTRUMENTAL BANK	S CONTRACTOR		
	Oisclosure							_	2,500	1,464 \$	1,454	1,454 \$	10000	,		No. of Contract of			Total Section				\$	*	
The control of the	Calculations Calculations										STATE OF		04.2.2.2.2.00 04.2.2.2.2.00 04.0.2.2.2.00 04.0.2.2.2.00 04.0.2.2.2.00 04.0.2.2.2.00 04.0.2.2.00 04.0.2.2.00 04.0.2.2.00 04.0.0.00 04.000 04.			SESSE SESSE		•							
	Contract for Audiling Services								0000	246 \$	246		Village.	1		- American				CANADA SERVICE			5 65		
	Centract for Legal Services								1,200		-10000000		•			-77468	9		- 1000000000000000000000000000000000000	TAKETURINTENER		CONTRACTOR SEED	55		
	Lease of Office Space				-			-	-		- Control of the last of the l						50						2		
1	Lenna of Office Space - Utilitie				-								The same of	200			316 \$						2 17	9 1/9	
	Lease of Office Space - Telephone										STOTE OF			7 750		1	3 766 \$	41							
	Lease of Olice Space - Electricity										TO SERVICE OF THE PARTY OF THE		100000	000	CHARLE.	253555	9 000		STATE						
	Lease of Office Space - Gas							-	1		-		March Co.	450			817 \$		· Karamanan	Negative and		ONE STREET			
1	Lease of Office Space - Janiferial												No. of Street, or other Persons and the Street, or other Persons a	1 650		82028	3 3601								
100 100	Office Equipment Lease										- 13 CONT.		-20000000	1,500		-355	1,488 \$			STORY STORY		The second second second	S		
	Employee/Administrative Ces	2 0				1		1	16,986	17,316 \$	10,988	17,316 \$		-		- CORCO	67 4		- Decomposition	TO CONTRACTOR OF THE PERSON NAMED IN COLUMN NA					
	City Allamay Services													1		- Marie			- SENETHERITATION	NAME AND ADDRESS OF		ENG SUCCESSION DAY	S STATE OF THE R		
	Contract for Legal Services								1,200		-0700000		- Constant			-SHEEKS	us.		· managements	T (SERVICE SERVICE)		THE RESERVE OF THE PERSON NAMED IN	S TOWARDOW S		
	Contract for Consulting Consulting								10,000		•	-	000000	-		NAMES OF TAXABLE PARTY.			•						
									-		SECOND S		- Control of the Cont		,	- Control									
	Staff Salarias and Ronnilla	la)	-			I			95,301	2,916 \$	2,916	2,915 \$	-				49								
	Staff O verhead							-		10	To Merchan			15,676			1,428 \$	10 10							
	Staff Relines Charge												-							V Spenichterschaft.		Beer Management	S CONTRACTOR		
	Mentions and Probability Char	10									Charles and	8	STATE STATE OF THE			- 100	57		- Harmachillann	TOTAL STREET		mention (New York Inch.)	S CHARLESTO S		
	33 Davelopment									**	W. Chengar			•			us.	\$ 300 8					S		
	Travel and Reimbursement							1		50	- Secretary					- Strange			· Material angles of	Name and Address of the Owner, where				•••	
	Advertising (Public Notices)									0 40	Williams.		Service.			TO SO	\$ 800			The second second			S HARRING		
	37 Costs										10000000		200	900			400						2		
										us.	sandkow.		-		3	- Personal	8		· SECTION SECTION	The second special state of	**	COSTA SEGRETARION SAND	5		VIOLENIA DE
										s	Statistics	**	- Company		8	- Water	"	57	- adhiberophything	THE PERSONAL PROPERTY AND PERSONAL PROPERTY		Panagona and an analysis of the	Contraction S		
			-					-			Contractor.	40 0				-	50			T SCHOOL STATE OF THE SCHO	40 41		50 50		
								-	-	0 00	Company.	0 49		-		- Nester			Contraction of the	National State of			· s		C 182 Sec.
													The same of the sa			-			NONE PROPERTY.	NEWSTREET, SALES		THE PROPERTY AND PARTY AND PARTY.	S HEERSTERN S		

Recognized Obligation Payment Schedule 13-14B - Notes

January 1, 2014 through June 30, 2014

Item

Notes/Comments

- 1 Obligation has been adjusted to reflect the final amount needed subject to OB approval 2 Obligation has been adjusted to include interest per loan documents
- 15 Lease of office space. Lease expires June 30, 2013; will not renew. New location to be determined.
- 38 New enforceable obligation. Loan from City to Successor Agency for legal expenses.