1. **Call To Order.**

2. **Roll Call.**

3. **Items from the Public - Non-Agenda Items.**

4. **Regular Business**

   a. Elections Of Oversight Board Chairperson And Vice-Chairperson. (View Report)

   a. Historical Overview Of The Newman Redevelopment Agency. (View Report)

   b. Approval of the Recognized Obligation Payment Schedule. (View Report)

5. **Items From Board Members.**

6. **Items From The City Manager And Staff.**

7. **Adjournment.**

City of Newman
City Manager's Office
Memorandum

Date: April 9, 2012
To: Oversight Board
From: Michael E. Holland, City Manager 𝓜𝓑𝓗

Subject: Agenda Item No. 4.a. – Elections Of Oversight Board Chairperson And Vice-Chairperson.

As per State statute, the Oversight Board is required to select a chairperson. The name of said chairperson must be sent to the State prior to May 1, 2012.

City of Newman
City Manager's Office
Memorandum

Date: April 9, 2012
To: Oversight Board
From: Michael E. Holland, City Manager

Subject: Agenda Item No. 4.b. – Historical Overview of Newman Redevelopment Agency.

In an effort to inform members of the Oversight Board regarding past Newman Redevelopment Agency activities, staff will provide a historical overview of the Newman Redevelopment Agency, including but not limited to: creation, bond sale, pass through agreements, assets, etc. The overview will be general in nature; with further detailed discussion(s) at subsequent meetings if necessary.

Honorable Chairman and Members of the
Newman Redevelopment Successor Agency
Oversight Board

Agenda Item: **4.c.**
Oversight Board
Board Meeting
of April 12, 2012

A RESOLUTION APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(l)

RECOMMENDATION:

It is recommended that the Oversight Board adopt Resolution No. 2012- approving the Recognized Obligation Payment Schedule pursuant to Health and Safety Code section 34177(l).

BACKGROUND:

Pursuant to Health and Safety Code Section 34172, the Redevelopment Agency of the City of Newman ("Agency") was dissolved as of February 1, 2012. The City of Newman ("RDA Successor Agency") is the successor agency of the Agency. The Oversight Board is responsible for approving the actions of the RDA Successor Agency pursuant to Health and Safety Code Section 34179.

ANALYSIS:

One of the RDA Successor Agency's responsibilities pursuant to Health and Safety Code Section 34177(l) is to prepare a draft Recognized Obligation Payment Schedule ("ROPS") by March 1, 2012, listing all of the outstanding debts and obligations of the former Agency for the period from February 1, 2012, through June 30, 2012, submit the draft ROPS to the County Auditor-Controller for certification as to its accuracy, and submit the draft ROPS to the Oversight Board for approval.

The ROPS was prepared by the RDA Successor Agency and submitted to the Auditor-Controller as of March 1, 2012. The Auditor-Controller directed the RDA Successor Agency to submit the ROPS to the Oversight Board. It now requires Oversight Board approval in order to become effective pursuant to Health and Safety Code Sections 34177(l) and 34180(g). Once it is approved by the Oversight Board and becomes effective, the RDA Successor Agency may receive funds from the Auditor-Controller to pay the dissolved Agency's existing debts and obligations provided in the ROPS. Upon Oversight Board approval, the RDA Successor Agency should, prior to April 15, 2012, provide a copy of the approved ROPS to the Auditor-Controller, the State of California Controller and the DOF, and post the approved ROPS on the RDA Successor Agency's website.

Pursuant to Health and Safety Code Section 34179(h), because the DOF may review Oversight Board actions, the Oversight Board's action to approve the ROPS is not effective for three business days, pending a request for review by the DOF.

CEQA

The actions taken by enactment of this Resolution does not commit the Oversight Board to any actions that may have a significant effect on the environment. As a result, this action does not constitute a project subject to the requirements of the California Environmental Quality Act.

FISCAL IMPACT:

There is no impact to the Oversight Board. No funds are involved with the approval of the ROPS.

CONCLUSION:

Staff recommends that the Oversight Board adopt Resolution No. 2012- approving the Recognized Obligation Payment Schedule.

ATTACHMENTS:

1. Resolution No. 2012-
2. Exhibit A – Recognized Obligation Payment Schedule pages 1-4

Respectfully submitted,

REVIEWED/CONCUR

Lewis A. Humphries
Finance Director

Michael Holland
City Manager

<u>RESOLUTION NO. 2012-</u>

A RESOLUTION OF THE NEWMAN REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(l)

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Newman ("RDA Successor Agency") is the successor agency to the dissolved Redevelopment Agency of the City of Newman ("Agency"); and

WHEREAS, Health and Safety Code Section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency's oversight board pursuant to Health and Safety Code Section 34179(a); and

WHEREAS, Health and Safety Code Section 34177(l)(2), as modified by the Supreme Court opinion in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 ("Legal Action"), requires the RDA Successor Agency to prepare an initial draft of a "recognized obligation payment schedule" ("ROPS") by March 1, 2012, listing outstanding obligations of the Agency to be performed by the RDA Successor Agency during the time period from February 1, 2012, through June 30, 2012; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the RDA Successor Agency to submit the initial draft of the ROPS to either the County of Stanislaus Auditor-Controller, or its designee, for the auditor's review and certification as to the accuracy of the ROPS; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the RDA Successor Agency to submit the ROPS certified by the external auditor to the Oversight Board for approval and, upon such approval, the RDA Successor Agency is required to submit a copy of such approved ROPS to the County of Stanislaus Auditor-Controller, the California State Controller, and the State of California Department of Finance and post the Approved ROPS on the RDA Successor Agency's website; and

WHEREAS, Health and Safety Code Section 34180(g) requires the Oversight Board to approve the RDA Successor Agency's establishment of the ROPS prior to the RDA Successor Agency acting upon the ROPS; and

WHEREAS, RDA Successor Agency staff has prepared an initial draft of the ROPS and submitted it to the County of Stanislaus Auditor-Controller prior to March 1, 2012; and

WHEREAS, the County of Stanislaus Auditor-Controller has informed the RDA Successor Agency to submit the initial draft of the ROPS to the Oversight Board.

NOW, THEREFORE, THE NEWMAN REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT BOARD DOES HEREBY RESOLVE AS FOLLOWS:

<u>Recitals</u>. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

<u>CEQA Compliance</u>. The approval of the ROPS through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Approval of the ROPS. 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.

Implementation. The Oversight Board hereby directs the RDA Successor Agency to submit copies of the ROPS approved by the Oversight Board to the County of Stanislaus Auditor-Controller, the State of California Controller and the State of California Department of Finance after the effective date of this Resolution or, if the State of California Department of Finance requests review of the ROPS prior to the effective date of this Resolution, upon approval of the ROPS by the State of California Department of Finance, and prior to April 15, 2012, and to post the ROPS on the RDA Successor Agency's website.

Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Certification. The City Clerk of the City of Newman, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

Effective Date. Pursuant to Health and Safety Code Section 34179(h), 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 three (3) business days, pending a request for review by the State of California Department of Finance.

The foregoing resolution was introduced at a regular meeting of the Newman Redevelopment Successor Agency Oversight Board held on the 12ᵗʰ of April, 2012 by Board Member_____, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

    AYES:
    NOES:
    ABSENT:

                                                    APPROVED:

                                                _____
                                                Chairman of the Newman Redevelopment
                                                Successor Agency Oversight Board

ATTEST:

_____
Secretary of the Newman Redevelopment
Successor Agency Oversight Board

Name of Redevelopment Agency: Newman Redevelopment Agency
Project Area(s): Project Area No. 1

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

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	*** Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF) Payments by month						Total
							Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	
1) 1997 Tax Allocation Bonds	US Bank	Bond Payment	Project No. 1	3,524,916.40	253,578.76	RPTTF	0.00	64,289.38	0.00	0.00	0.00	189,289.38	$ 253,578.76
2) ABX4-36 SERAF Payments	Newman LMIHF - 74	LMIHF loan to RDA from SERAF Payments	Project No. 1	485,822.00	177,739.80	RPTTF	0.00	0.00	0.00	0.00	177,739.80	0.00	$ 177,739.80
3) Borrowed Funds from Cash Pool	City of Newman	Negative Cash Position	Project No. 1	252,512.82	252,512.82	RPTTF	0.00	0.00	0.00	0.00	252,512.82	0.00	$ 252,512.82
4) LMIH Project w/ Housing Auth.	Housing Authority	Housing Auth. 60 units of LMIH	Project No. 1	250,000.00	50,000.00	RPTTF	0.00	0.00	0.00	0.00	0.00	50,000.00	$ 50,000.00
5) Fee Offset Fund	SCM	Fee Offset for Sherman Ranch Subdiv.	Project No. 1	125,000.00	50,000.00	RPTTF	0.00	0.00	0.00	0.00	0.00	50,000.00	$ 50,000.00
6) Loan from Stanislaus Cnty for Plaza	Stanislaus County	Stanislaus Cnty Economic Dev. Bank Loan	Project No. 1	300,000.00	60,000.00	RPTTF	0.00	0.00	0.00	0.00	0.00	60,000.00	$ 60,000.00
7)													$ -
8)													$ -
9)													$ -
10)													$ -
11)													$ -
12)													$ -
13)													$ -
14)													$ -
15)													$ -
16)													$ -
17)													$ -
18)													$ -
19)													$ -
20)													$ -
21)													$ -
22)													$ -
23)													$ -
24)													$ -
25)													$ -
26)													$ -
27)													$ -
28)													$ -
29)													$ -
30)													$ -
31)													$ -
32)													$ -
Totals - This Page (RPTIF Funding)				$ 4,938,251.22	$ 843,831.38	N/A	$ -	$ 64,289.38	$ -	$ -	$ 430,252.62	$ 349,289.38	$843,831.38
Totals - Page 2 (Other Funding)				$ -	$ -	N/A	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Totals - Page 3 (Administrative Cost Allowance)				$ 4,816,516.00	$ 234,952.00	N/A	$ -	$ 11,818.25	$ 29,807.00	$ 11,867.25	$ 11,868.25	$ 44,589.00	$ 109,949.75
Totals - Page 4 (Pass Thru Payments)				$ 5,861,811.00	$ 335,942.00	N/A	$ -	$ -	$ 94,377.40	$ -	$ -	$ 111,799.00	$ 206,176.40
Grand total - All Pages				$ 9,754,767.22	$ 1,078,783.38		$ -	$ 76,107.63	$ 29,807.00	$ 11,867.25	$ 442,120.87	$ 393,878.38	$ 1,159,957.53

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.
** All totals due during fiscal year and payment amounts are projected.
*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
RPTTF - Redevelopment Property Tax Trust Fund   Bonds - Bond proceeds   Other - reserves, rents, interest earnings, etc
LMIHF - Low and Moderate Income Housing Fund   Admin - Successor Agency Administrative Allowance

Name of Redevelopment Agency: Newman Redevelopment Agency

Project Area(s) Project Area No. 1

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

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source ***	Payable from Other Revenue Sources Payments by month						Total
								Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	
1)														$ -
2)														$ -
3)														$ -
4)														$ -
5)														$ -
6)														$ -
7)														$ -
8)														$ -
9)														$ -
10)														$ -
11)														$ -
12)														$ -
13)														$ -
14)														$ -
15)														$ -
16)														$ -
17)														$ -
18)														$ -
19)														$ -
20)														$ -
21)														$ -
22)														$ -
23)														$ -
24)														$ -
25)														$ -
26)														$ -
27)														$ -
28)														$ -
29)														$ -
30)														$ -
31)														$ -
32)														$ -
33)														$ -
	Totals - LMHF													$0.00
	Totals - Bonds													$0.00
	Totals - Other													$0.00
	Grand total - This Page				$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.
** All total due during fiscal year and payment amounts are projected.
*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)
RPTTF - Redevelopment Property Tax Trust Fund   Bonds - Bond proceeds   Other - reserves, rents, interest earnings, etc
LMIHF - Low and Moderate Income Housing Fund   Admin - Successor Agency Administrative Allowance

Name of Redevelopment Agency: Newman Redevelopment Agency

Project Area(s): Project Area No. 1

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

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source **	Payable from the Administrative Allowance Allocation Payments by month						Total
								Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	
1)	Employee Costs	Employees of Agency	Payroll Costs	Project No. 1	2,646,775.50	129,111.00	Admin	0.00	10,759.25	10,759.25	10,759.25	10,759.25	10,759.25	$ 53,796.25
2)	Project Administration Costs	City of Newman	Project Administration Costs - Gen Alloc	Project No. 1	1,471,059.50	71,759.00	Admin	0.00	0.00	17,939.75	0.00	0.00	17,939.75	$ 35,879.50
3)	Audit and Financial Reports	Clendenin Bird & Co., P.C.	Audit Services	Project No. 1	184,500.00	9,000.00	Admin	0.00	0.00	0.00	0.00	0.00	3,000.00	$ 3,000.00
4)	Theatre Operation	City of Newman	Maintenance of Theatre	Project No. 1	174,250.00	8,500.00	Admin	0.00	709.00	708.00	708.00	709.00	708.00	$ 3,542.00
5)	Property Tax Admin	Stanislaus County	Property Tax Admin for Collection	Project No. 1	241,531.00	11,782.00	Admin	0.00	0.00	0.00	0.00	0.00	11,782.00	$ 11,782.00
6)	Industrial Park Operations	PG&E	Gas & Electric for Industrial Park	Project No. 1	98,400.00	4,800.00	Admin	0.00	350.00	400.00	400.00	400.00	400.00	$ 1,950.00
7)														$ -
8)														$ -
9)														$ -
10)														$ -
11)														$ -
12)														$ -
13)														$ -
14)														$ -
15)														$ -
16)														$ -
17)														$ -
18)														$ -
19)														$ -
20)														$ -
21)														$ -
22)														$ -
23)														$ -
24)														$ -
25)														$ -
26)														$ -
27)														$ -
28)														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
	Totals - This Page				$ 4,816,516.00	$ 234,952.00		$ -	$ 11,818.25	$ 29,807.00	$ 11,867.25	$ 11,868.25	$ 44,589.00	$109,949.75

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.
** All total due during fiscal year and payment amounts are projected.
*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)

RPTTF - Redevelopment Property Tax Trust Fund   Bonds - Bond proceeds   Other - reserves, rents, interest earnings, etc
LMIHF - Low and Moderate Income Housing Fund   Admin - Successor Agency Administrative Allowance

Name of Redevelopment Agency Newman Redevelopment Agency

Project Area(s) Project No. 1

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

	Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Source of Fund***	Pass Through and Other Payments Payments by month						Total
								Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012	
1)	Pass Thru Agreement	Yosemite Comm Coll	Payments per former agreement	Project No. 1	574,000.00	56,000.00	RPTTF	0.00	0.00	0.00	0.00	0.00	56,000.00	$ 56,000.00
2)	Pass Thru Agreement	Stan Cnty Office of Edu	Payments per former agreement	Project No. 1	451,000.00	44,000.00	RPTTF	0.00	0.00	0.00	0.00	0.00	44,000.00	$ 44,000.00
3)	Pass Thru Agreement	Stan Cnty - General	Payments per former agreement	Project No. 1	1,707,076.00	83,272.00	RPTTF	0.00	0.00	33,309.00	0.00	0.00	4,164.00	$ 37,473.00
4)	Pass Thru Agreement	Newman Crows Land USD	Payments per former agreement	Project No. 1	2,965,263.50	144,647.00	RPTTF	0.00	0.00	57,859.00	0.00	0.00	7,233.00	$ 65,092.00
5)	Pass Thru Agreement	Turlock Mosquito Abate Dist	Payments per former agreement	Project No. 1	121,688.00	5,936.00	RPTTF	0.00	0.00	2,374.40	0.00	0.00	297.00	$ 2,671.40
6)	Pass Thru Agreement	Stan Cnty - Fire	Payments per former agreement	Project No. 1	42,783.50	2,087.00	RPTTF	0.00	0.00	835.00	0.00	0.00	105.00	$ 940.00
7)														$ -
8)														$ -
9)														$ -
10)														$ -
11)														$ -
12)														$ -
13)														$ -
14)														$ -
15)														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
														$ -
	Totals - Other Obligations				$ 5,861,811.00	$ 335,942.00	$ -	$ -	$ -	$ 94,377.40	$ -	$ -	$ 111,799.00	$ 206,176.40

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board and audited by the County.

** All total due during fiscal year and payment amounts are projected.

*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)

RPTTF - Redevelopment Property Tax Trust Fund   Bonds - Bond proceeds   Other - reserves, rents, interest earnings, etc

LMIHF - Low and Moderate Income Housing Fund   Admin - Successor Agency Administrative Allowance