

# *Town of Apple Valley*

14955 Dale Evans Parkway • Apple Valley, California 92307

I **HEREBY CERTIFY** that the attached copy of Oversight Board Resolution Number 2013-10, to which this certificate is attached, is a full, true, and correct copy of the original record maintained in my office, which was duly adopted by the Oversight Board of the Town of Apple Valley on September 23, 2013.

Dated this 24th day of September, 2013.

**LA VONDA M-PEARSON, CMC  
OFFICE OF THE TOWN CLERK  
TOWN OF APPLE VALLEY**

By:   
Yvonne Rivera, Deputy

(SEAL)

## RESOLUTION NO. 2013-10

### **A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE TOWN OF APPLE VALLEY, APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULE 13-14B, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(I)**

**WHEREAS**, pursuant to Health and Safety Code section 34173(d), the Town of Apple Valley ("RDA Successor Agency") is the successor agency to the dissolved Redevelopment Agency of the Town of Apple Valley ("Agency"), confirmed by Resolution No. 2012-03 adopted on January 10, 2012;

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

**WHEREAS**, the RDA Successor Agency has prepared and submitted its previous ROPS (collectively "ROPS") to the County of San Bernardino Auditor-Controller pursuant to 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; the RDA Successor Agency has submitted the ROPS to the Oversight Board; the Oversight Board has approved the ROPS ("Approved ROPS"); and the RDA Successor Agency has submitted a copy of the Approved ROPS to the County of San Bernardino Auditor-Controller, the California State Controller, and the State of California Department of Finance and posted the Approved ROPS on the RDA Successor Agency's website;

**WHEREAS**, the ROPS were approved and/or modified by the State of California Department of Finance, most recently in a letter dated December 18, 2012;

**WHEREAS**, a ROPS for the period January 2014 through June 2014 is due prior to October 1, 2014;

**WHEREAS**, Health and Safety Code section 34177(l)(2) requires the RDA Successor Agency to submit the ROPS to the Oversight Board of the RDA Successor Agency for approval and, upon such approval, the RDA Successor Agency is required to submit a copy of such approved ROPS to the County of San Bernardino 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;

**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

**NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE TOWN OF APPLE VALLEY DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**SECTION 2. CEQA Compliance.** 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. The Town Clerk of the Town of Apple Valley, acting on behalf of the Oversight Board as its Secretary, is authorized and directed to file a Notice of Exemption with the

appropriate official of the County of San Bernardino, California, within five (5) days following the date of adoption of this Resolution.

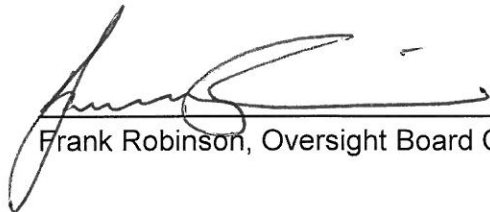
**SECTION 3. Approval of the ROPS.** The Oversight Board hereby approves and adopts ROPS 13-14B, in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177.

**SECTION 4. 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.

**SECTION 5. Certification.** The Town Clerk of the Town of Apple Valley, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

**SECTION 6. 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 five (5) business days, pending a request for review by the State of California Department of Finance.

**PASSED, APPROVED AND ADOPTED** this 23rd day of September 2013.

  
\_\_\_\_\_  
Frank Robinson, Oversight Board Chair

**ATTEST:**

  
\_\_\_\_\_  
Yvonne Rivera, Oversight Board Secretary

EXHIBIT A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE 13-14B  
For the period of January 2014 through June 2014

[Attached behind this page]

# Recognized Obligation Payment Schedule (ROPS 13-14B) - Summary

Filed for the January 1, 2014 through June 30, 2014 Period

Name of Successor Agency: Apple Valley  
 Name of County: San Bernardino

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
<b>Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding</b>		
<b>A Sources (B+C+D):</b>		<b>\$ 15,636,457</b>
B Bond Proceeds Funding (ROPS Detail)		14,873,000
C Reserve Balance Funding (ROPS Detail)		-
D Other Funding (ROPS Detail)		763,457
<b>E Enforceable Obligations Funded with RPTTF Funding (F+G):</b>		<b>\$ 5,163,380</b>
F Non-Administrative Costs (ROPS Detail)		5,030,664
G Administrative Costs (ROPS Detail)		132,716
<b>H Current Period Enforceable Obligations (A+E):</b>		<b>\$ 20,799,837</b>

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I Enforceable Obligations funded with RPTTF (E):		5,163,380
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column U)		-
<b>K Adjusted Current Period RPTTF Requested Funding (I-J)</b>		<b>\$ 5,163,380</b>

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L Enforceable Obligations funded with RPTTF (E):		5,163,380
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AB)		-
<b>N Adjusted Current Period RPTTF Requested Funding (L-M)</b>		<b>5,163,380</b>

Certification of Oversight Board Chairman:  
 Pursuant to Section 34177(m) of the Health and Safety code, I hereby  
 certify that the above is a true and accurate Recognized Obligation  
 Payment Schedule for the above named agency.

_____ Name	_____ Title
/s/ _____ 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(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	J	K
	Fund Balance Information by ROPS Period	Fund Sources								Comments
		Bond Proceeds		Reserve Balance		Other	RPTTF		Total	
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Due Diligence Review balances retained for approved enforceable obligations	RPTTF balances retained for bond reserves	Rent, Grants, Interest, Etc.	Non-Admin	Admin		
ROPS III Actuals (01/01/13 - 6/30/13)										
1	Beginning Available Fund Balance (Actual 01/01/13) Note that for the RPTTF, 1 + 2 should tie to columns L and Q in the Report of Prior Period Adjustments (PPAs)	20,632,942	-	325,000	-	5,417	-	-	\$ 20,963,359	
2	Revenue/Income (Actual 06/30/13) Note that the RPTTF amounts should tie to the ROPS III distributions from the County Auditor-Controller	3,156	-	-	-	11,230	1,515,988	-	\$ 1,530,374	
3	Expenditures for ROPS III Enforceable Obligations (Actual 06/30/13) Note that for the RPTTF, 3 + 4 should tie to columns N and S in the Report of PPAs	-	-	-	-	-	1,551,988	95,022	\$ 1,647,010	
4	Retention of Available Fund Balance (Actual 06/30/13) Note that the Non-Admin RPTTF amount should only include the retention of reserves for debt service approved in ROPS III	20,636,098	-	325,000	-	-	-	-	\$ 20,961,098	
5	ROPS III RPTTF Prior Period Adjustment Note that the net Non-Admin and Admin RPTTF amounts should tie to columns O and T in the Report of PPAs.	No entry required					-	-	\$ -	
6	Ending Actual Available Fund Balance (1 + 2 - 3 - 4 - 5)	\$ (0)	\$ -	\$ -	\$ -	\$ 16,647	\$ (36,000)	\$ (95,022)	\$ (114,375)	
ROPS 13-14A Estimate (07/01/13 - 12/31/13)										
7	Beginning Available Fund Balance (Actual 07/01/13) (C, D, E, G, and I = 4 + 6, F = H4 + F6, and H = 5 + 6)	\$ 20,636,098	\$ -	\$ 325,000	\$ -	\$ 16,647	\$ (36,000)	\$ (95,022)	\$ 20,846,723	
8	Revenue/Income (Estimate 12/31/13) Note that the RPTTF amounts should tie to the ROPS 13-14A distributions from the County Auditor-Controller	1,300	-	-	-	4,000	816,150	100,397	\$ 921,847	
9	Expenditures for 13-14A Enforceable Obligations (Estimate 12/31/13)	-	-	325,000	-	-	816,150	100,397	\$ 1,241,547	
10	Retention of Available Fund Balance (Estimate 12/31/13) Note that the RPTTF amounts may include the retention of reserves for debt service approved in ROPS 13-14A	20,637,398	-	-	-	-	-	-	\$ 20,637,398	
11	Ending Estimated Available Fund Balance (7 + 8 - 9 - 10)	\$ (0)	\$ -	\$ -	\$ -	\$ 20,647	\$ (36,000)	\$ (95,022)	\$ (110,375)	



Recognized Obligation Payment Schedule (ROPS) 13-14B - Report of Prior Period Adjustments  
Reported for the ROPS III (January 1, 2013 through June 30, 2013) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB
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**Recognized Obligation Payment Schedule (ROPS ) 13-14B - ROPS Detail**  
**January 1, 2014 through June 30, 2014**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source						Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)				RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin		
1	2005 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	5/1/2005		US Bank	2005 Tax Allocation Bonds for capital projects	VVEDA	\$ 102,883,145	N	\$ 14,873,000	\$ -	\$ 763,457	\$ 5,030,664	\$ 132,716	\$ 20,799,837	
2	2007 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	6/1/2007		US Bank	2007 Tax Allocation Bonds for capital projects	VVEDA	11,028,564	N			350,224			\$ 350,224	
3	Loan Agreement/DDA		6/28/2011		AMCAL	Bond proceeds for senior affordable housing construction project	VVEDA	13,946,902	N			358,892			\$ 358,892	
4	Employment agreement		11/1/2008		Ken Henderson	Employment separation agreement and release	VVEDA	-	Y						\$ -	
5	AMCAL Multi-Housing Loan Agreement/DDA		6/28/2011		AMCAL/Various	LMIHF for senior affordable housing construction project	VVEDA	-	N						\$ -	
6	Loan to 80% for ERAF	SERAF/ERAF	4/27/2011		LMIHF	Loan to pay SERAF	VVEDA	388,636	N						\$ -	
7	HELP Loan		11/5/2003		CAL FHA	Loan for CAL FHA Down Payment Assistance	VVEDA	-	Y						\$ -	
8	2007 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	7/1/2007		US Bank	2007 Tax Allocation Bonds for capital/housing projects	PA2	56,391,835	N				1,566,150		\$ 1,566,150	
9	Yucca Loma Bridge Corridor	Improvement/Infrastructure	7/1/2007		Various	Bond proceeds for Yucca Loma Bridge construction services	PA2	16,214,000	N	14,000,000					\$ 14,000,000	
10	Yucca Loma Bridge Corridor	Project Management Costs	4/2/2007		Dokken Engineering	Design services for Yucca Loma Bridge	PA2	623,000	N	623,000					\$ 623,000	
11	Yucca Loma Bridge Corridor	Project Management Costs	11/8/2005		CAA Engineering	Project management services for YLB	PA2	250,000	N	250,000					\$ 250,000	
12	Employment agreement		11/1/2008		Ken Henderson	Employment separation agreement and release	PA2	-	Y						\$ -	
13	Loan Agreement/DDA		6/28/2011		AMCAL Multi-Housing Inc	Bond proceeds for senior affordable housing construction project	PA2	-	N						\$ -	
14	Loan to 80% for ERAF	SERAF/ERAF	4/27/2011		LMIHF	Loan to pay SERAF	PA2	388,637	N						\$ -	
15	AMCAL Multi-Housing Loan Agreement/DDA		6/28/2011		AMCAL/Various	LMIHF for senior affordable housing construction project	PA2	-	N						\$ -	
16	HELP Loan		11/5/2003		CAL FHA	Loan for CAL FHA Down Payment Assistance	PA2	-	Y						\$ -	
17	Personnel Services	Admin Costs			Various	Dissolution Activities and Services	VVEDA/AVRDA PA2	61,432	N			30,716		30,716	\$ 61,432	
18	Education and Training	Admin Costs			Various	Dissolution Activities and Services	VVEDA/AVRDA PA2	3,000	N			1,500		1,500	\$ 3,000	
19	Meetings and Conferences	Admin Costs			Various	Dissolution Activities and Services	VVEDA/AVRDA PA2	500	N			250		250	\$ 500	
20	Mileage	Admin Costs			Various	Dissolution Activities and Services	VVEDA/AVRDA PA2	2,000	N			1,000		1,000	\$ 2,000	
21	Office Expenses	Admin Costs			Various	Dissolution Activities and Services	VVEDA/AVRDA PA2	1,000	N			500		500	\$ 1,000	
22	Postage	Admin Costs			Various	Dissolution Activities and Services	VVEDA/AVRDA PA2	-	N			-		-	\$ -	
23	Printing	Admin Costs			Various	Dissolution Activities and Services	VVEDA/AVRDA PA2	-	N			-		-	\$ -	
24	Audit	Admin Costs			TBD	Dissolution Activities and Services	VVEDA/AVRDA PA2	-	N			-		-	\$ -	
25	Contract Services	Admin Costs			Various	Dissolution Activities and Services	VVEDA/AVRDA PA2	25,750	N			12,875		12,875	\$ 25,750	
26	Legal	Admin Costs			BB&K	Dissolution Activities and Services	VVEDA/AVRDA PA2	15,000	N			7,500		7,500	\$ 15,000	
27	Admin Costs from ROPS III	Prior Period RPTTF Shortfall				Dissolution Activities and Services	AVRDA PA2	78,375	N					78,375	\$ 78,375	
28	2007 Tax Alloc. Bonds shortage from ROPS III	Prior Period RPTTF Shortfall			US Bank	2007 Tax Allocation Bonds for capital/housing projects	PA2	36,000	N				36,000		\$ 36,000	
29	Apple Valley Road Way Improvements Phase 1B	Improvement/Infrastructure	8/22/2007		Cooley Construction, Inc.	Apple Valley Road Way Improvement Phase 1B	VVEDA/AVRDA PA2	3,281,514	N				3,281,514		\$ 3,281,514	
30	Town of Apple Valley Loan per HSC 34173(h)	City/County Loans After 6/27/11			Town of Apple Valley	Town of Apple Valley Loan per HSC 34173(h)	VVEDA/AVRDA PA2	147,000	N				147,000		\$ 147,000	



**Recognized Obligation Payment Schedule (ROPS) 13-14B - Report of Prior Period Adjustments**  
 Reported for the ROPS III (January 1, 2013 through June 30, 2013) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)  
 (Report Amounts in Whole Dollars)

ROPS III Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS III (July through December 2013) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 13-14B (January through June 2014) period will be offset by the SA's self-reported ROPS III prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the county auditor-controller (CAC) and the State Controller.

ROPS III CAC PPA: To be completed by the CAC upon submittal of the ROPS 13-14B by the SA to Finance and the CAC

		ROPS III CAC PPA: To be completed by the CAC upon submittal of the ROPS 13-14B by the SA to Finance and the CAC																													
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB				
Item #	Project Name / Debt Obligation	Non-RPTTF Expenditures										RPTTF Expenditures																			
		LIRRF (Includes LIRRF Due Diligence Review (DDR) related balances)		Bond Proceeds		Reserve Balance (Includes Other Funds and Assets (DDR) related balances)		Other Funds		Non-Admin							Admin							Net SA Non-Admin and Admin PPA		Non-Admin CAC		Admin CAC		Net CAC Non-Admin and Admin PPA	
		Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Available RPTTF (ROPS III distributed + all other available as of 1/1/13)	Net Lessor of Authorized/ Available	Actual	Difference (If M is less than N, the difference is zero)	Authorized	Available RPTTF (ROPS III distributed + all other available as of 1/1/13)	Net Lessor of Authorized/ Available	Actual	Difference (If R is less than S, the difference is zero)	Net Difference (Amount Used to Offset ROPS 13-14B Requested RPTTF (O + T))	Net Lessor of Authorized/ Available	Actual	Difference (If U is less than V, the difference is zero)	Net Lessor of Authorized/ Available	Actual	Difference (If Y is less than Z, the difference is zero)	Net Difference (Amount Used to Offset ROPS 13-14B Requested RPTTF (X + AA))				
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$			
1	2006 Tax Allocation Bonds									700,698	700,698																				
2	2007 Tax Allocation Bonds									348,606	348,606																				
3	Loan Agreement/ODA									352,092	352,092																				
4	Employment agreement																														
5	ADICAL Multi-Housing Loan Agreement/ODA																														
6	Loan to 80% for ERAF																														
7	HELP Loan																														
8	2007 Tax Allocation Bonds																														
9	Yusue Loma Bridge Corridor									2,089,655	1,515,088	1,515,088	1,551,450																		
10	Yusue Loma Bridge Corridor																														
11	Yusue Loma Bridge Corridor																														
12	Employment agreement																														
13	Loan Agreement/ODA																														
14	Loan to 80% for ERAF																														
15	ADICAL Multi-Housing Loan Agreement/ODA																														
16	HELP Loan																														
17	Personnel Services																														
18	Education and Training																														
19	Meetings and Conferences																														
20	Mileage									1,334																					
21	Office Expenses																														
22	Postage									70																					
23	Printing																														
24	Audit																														
25	Contract Services																														
26	Legal									20,000																					
27	Loan to 80% for ERAF									9,218																					
28	Loan to 80% for ERAF																														
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**Recognized Obligation Payment Schedule 13-14B - Notes**  
January 1, 2014 through June 30, 2014

Item #	Notes/Comments
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Town of Apple Valley  
Resolution No. 2013-10

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF APPLE VALLEY

I, LA VONDA M-PEARSON, Town Clerk for the Town of Apple Valley, Apple Valley, California, do hereby certify that Resolution No. 2013-10, duly and regularly adopted by the Oversight Board at a meeting thereof held on the 23<sup>rd</sup> day of September, 2013 by the following vote:

AYES: Oversight Board Members Sid Hultquist; GH Javaheripour; David Wert; Vice-Chair Barb Stanton, Chair Frank Robinson.

NOES: None

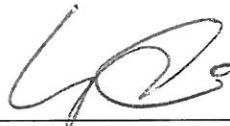
ABSTAIN: None

ABSENT: Oversight Board Members Kevin Mahany; Matt Schulenberg.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Apple Valley, California, this 24<sup>th</sup> day of September, 2013.

LA VONDA M-PEARSON, CMC  
TOWN CLERK

By:



Yvonne Rivera, Deputy

(SEAL)