

RESOLUTION NO. OB-03-13

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR THE CITY OF COLTON APPROVING AND ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY 1, 2014 THROUGH JUNE 30, 2014, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177

WHEREAS, pursuant to Health and Safety Code section 34173(g), the Successor Agency to the Redevelopment Agency for the City of Colton (“RDA Successor Agency”) is a public entity, separate and distinct from the City of Colton; and

WHEREAS, Health and Safety Code section 34177 requires the RDA Successor Agency to prepare a “recognized obligation payment schedule” (“ROPS”), listing outstanding enforceable obligations of the former Redevelopment Agency for the City of Colton (“Agency”) to be performed by the RDA Successor Agency during the time period from January 1, 2014, through June 30, 2014 (“ROPS 13-14B”); and

WHEREAS, Health and Safety Code section 34177(l)(2)(B) requires the RDA Successor Agency to submit a copy of the ROPS 13-14B to the County of San Bernardino Administrative Officer, the County of San Bernardino Auditor-Controller and the State of California Department of Finance after the proposed ROPS 13-14B is approved by the RDA Successor Agency’s “oversight board” established pursuant to Health and Safety Code Section 34179 (“Oversight Board”); and

WHEREAS, the RDA Successor Agency is required to submit an Oversight Board approved ROPS 13-14B no later than October 1, 2013; and

WHEREAS, RDA Successor Agency staff prepared the ROPS 13-14B covering the time period from January 1, 2014 through June 30, 2014 listing all of the outstanding debts and obligations of the former Agency for the period; and

WHEREAS, Health and Safety Code sections 34177(m) and 34180(g) require the Oversight Board to approve the ROPS 13-14B; and

WHEREAS, Health and Safety Code section 34177(m) allows the State of California Department of Finance 45 days to review obligations listed on the Oversight Board approved ROPS 13-14B;

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR THE CITY OF COLTON, DOES HEREBY RESOLVE AND FIND AS FOLLOWS:

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

1 **Section 2. CEQA Compliance.** The approval of the ROPS 13-14B through this
2 Resolution does not commit the Oversight Board to any action that may have a significant
3 effect on the environment. As a result, such action does not constitute a project subject to the
4 requirements of the California Environmental Quality Act. The Secretary of the Oversight
5 Board is authorized and directed to file a Notice of Exemption under the California
6 Environmental Quality Act with the appropriate official of the County of San Bernardino,
7 California, within five (5) days following the date of adoption of this Resolution.

8 **Section 3. Approval of the ROPS 13-14B.** The Oversight Board hereby
9 approves and adopts the ROPS 13-14B, as amended, and in substantially the form attached to
10 this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177 and 34180.
11 As directed by the Oversight Board, the ROPS 13-14B originally approved and adopted by
12 the Successor Agency has been amended to include the following Prior Year Pass-Through
13 Obligations not paid to applicable taxing entities:

- 14 • Rialto Unified School District \$494,506 payable from RPTTF
- 15 • San Bernardino Community College District \$894,259 payable from RPTTF
- 16 • San Bernardino Valley Municipal Water District \$8,539,642; \$79,773 payable
17 from RPTTF and \$8,459,869 payable from funds held by the County Auditor
18 Controller pursuant to San Bernardino County Superior Court Case No.
19 CIVDS 1305441

20 **Section 4. Transmittal of the ROPS 13-14B.** The Oversight Board hereby
21 authorizes and directs the Successor Agency to submit copies of the ROPS 13-14B approved
22 by the Oversight Board to the State of California Department of Finance and the County of
23 San Bernardino Auditor-Controller prior to October 1, 2013 in accordance with Health and
24 Safety Code section 34177 and other applicable law.

25 **Section 5. Severability.** If any provision of this Resolution or the application of
26 any such provision to any person or circumstance is held invalid, such invalidity shall not
27 affect other provisions or applications of this Resolution that can be given effect without the
28 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 6. Certification. The Secretary of the Oversight Board shall certify to the
adoption of this Resolution.

Section 7. 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 after the date of its adoption, pending a request for review by the State of
California Department of Finance. This Resolution shall become effective immediately upon
its adoption.

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PASSED, APPROVED AND ADOPTED this 26th day of September, 2013.

By: 
Frank Gonzales, Chairperson
Oversight Board of the Successor Agency to
the Redevelopment Agency for the City of
Colton

Attest:


Eileen C. Gomez, City Clerk, CMC
Secretary
Oversight Board of the Successor Agency
To the Redevelopment Agency for the City
of Colton

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EXHIBIT A

DRAFT RECOGNIZED OBLIGATION PAYMENT SCHEDULE
Covering the period from January 1, 2014 through June 30, 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: Colton
 Name of County: San Bernardino

Current Period Requested Funding for Outstanding Debt or Obligation	Six-Month Total
A Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding Sources (B+C+D):	\$ 8,459,869
B Bond Proceeds Funding (ROPS Detail)	-
C Reserve Balance Funding (ROPS Detail)	-
D Other Funding (ROPS Detail)	8,459,869
E Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 5,001,614
F Non-Administrative Costs (ROPS Detail)	4,876,614
G Administrative Costs (ROPS Detail)	125,000
H Current Period Enforceable Obligations (A+E):	\$ 13,461,483

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
I Enforceable Obligations funded with RPTTF (E):	5,001,614
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column U)	(83,050)
K Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 4,918,564

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
L Enforceable Obligations funded with RPTTF (E):	5,001,614
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AB)	-
N Adjusted Current Period RPTTF Requested Funding (L-M)	5,001,614

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

 Signature Date
9/30/13

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 Sources									
		Bond Proceeds		Reserve Balance		Other	RPTTF		Total		
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Review balances retained for approved enforceable obligations	RPTTF balances retained for bond reserves	Rent, Grants, Interest, Etc.	Non-Admin	Admin			
Fund Balance Information by ROPS Period											
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)						288,176		\$ 288,176		
2	Revenue/Income (Actual 06/30/13) Note that the RPTTF amounts should tie to the ROPS III distributions from the County Auditor-Controller					29,461	761,096	125,000	\$ 915,557		
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										
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						988,092	125,000	\$ 1,113,092		
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.								\$ -		
6	Ending Actual Available Fund Balance (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ -	\$ -	\$ 29,461	\$ 61,180	\$ -	\$ 83,050		
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)	\$ -	\$ -	\$ -	\$ -	\$ 29,461	\$ 144,230	\$ -	\$ 90,641		
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										
9	Expenditures for 13-14A Enforceable Obligations (Estimate 12/31/13)						3,310,911	125,000	\$ 3,435,911		
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						3,381,519	125,000	\$ 3,506,519		
11	Ending Estimated Available Fund Balance (7 + 8 - 9 - 10)	\$ -	\$ -	\$ -	\$ -	\$ 29,461	\$ 73,622	\$ -	\$ 20,033		

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

A Item #	B Project Name / Debt Obligation	C Obligation Type	D Contract/Agreement Execution Date	E Contract/Agreement Termination Date	F Payee	G Description/Project Scope	H Project Area	I Total Outstanding Debt or Obligation	J Retired	K, L, M, N Funding Source					O Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)					
										Bond Proceeds			RPTTF		
										Reserve Balance	Other Funds	Non-Admin	Admin		
1	1998 Tax Allocation Bonds Series A & B	Bonds Issued On or Before 12/31/10	4/1/1998	8/1/2018	US Bank	Bond issue to fund capital projects	RR20-RG01, RR24-RG01	\$ 64,099,167	N	\$ -	\$ -	\$ 8,459,869	\$ 4,070,914	\$ 125,000	\$ 13,481,483
2	1999 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	8/1/1999	9/1/2030	US Bank	Bond issue to fund capital projects	RR20-RG01, RR25-RG01	27,696,836	N				499,100		\$ 499,100
3	2004 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	7/1/2004	8/1/2028	US Bank	Bond issue to fund housing projects	RR20-RG01, RR25-RG01	10,620,423	N				389,887		\$ 389,887
4	CIEDB Loan Agreement	Improvement/Infrastructure	4/30/2002	7/1/2021	I Bank	Infrastructure loan	RR24-RG01	7,172,280	N				116,609		\$ 116,609
5	Participation/Cooperation Agreement	OPA/DDA/Construction	8/1/1998	7/15/2027	East Valley Land Co.	Ownership Participation Agreement	RR24-RG01	1,345,469	N				17,282		\$ 17,282
6	Price Company DDA	OPA/DDA/Construction	10/1/1998	9/1/2036	Price Company	Disposition & Development Agmt/Promissory Note	RR24-RG01	1,831,235	N				74,350		\$ 74,350
7	TABS Administration Fees	Fees	4/1/1998	9/1/2036	US Bank	TABS Administration Fees	RR25-RG01	2,460,172	N				-		\$ -
8	TABS Arbitrage Fees	Fees	9/1/2011	9/1/2036	Willdan Financial Services	Arbitrage calculations	RR20-RG01, RR25-RG01, Low/Mod Housing	11,550	N				11,550		\$ 11,550
9	TABS Continuing Disclosures	Fees	2/1/2012	9/1/2036	HdL Coren & Cone	Annual Continuing Disclosures & Disseminations	RR20-RG01, RR25-RG01, Low/Mod Housing	2,500	N				-		\$ -
10	TABS Continuing Disclosures	Fees	2/1/2012	9/1/2036	HdL Coren & Cone	Annual Continuing Disclosures & Disseminations	RR20-RG01, RR25-RG01, Low/Mod Housing	5,000	N				12,000		\$ 12,000
11	Reassessment District (RAD) 00-1	Bonds Issued On or Before 12/31/10	12/1/2000	9/1/2019	Union Bank	Bond issue to fund housing projects	RR20-RG01, RR25-RG01, Low/Mod Housing	-	Y				-		\$ -
12	RAD 00-1 Administration Fees	Bonds Issued On or Before 12/31/10	12/1/2000	9/1/2019	NBS	Assessment calculation fees	Low/Mod Housing	-	Y				-		\$ -
13	East Cooley Drive (11.2 acres)	Property Dispositions	2/1/2012	7/29/2016	City of Colton as SA staff	Project Management of Land Sale by SA	RR24-RG01	150,000	N				150,000		\$ 150,000
14	Appraisal Report	Property Dispositions	2/1/2012	7/29/2016	TBD	Determination of Fair Market Land Value	RR24-RG01	8,000	N				8,000		\$ 8,000
15	Title Report	Property Dispositions	2/1/2012	7/29/2016	Chicago Title	Title Report per parcel	RR24-RG01	2,000	N				2,000		\$ 2,000
16	Phase I Analysis	Property Dispositions	2/1/2012	7/29/2016	TBD	Determination of Soils Condition	RR24-RG01	5,000	N				5,000		\$ 5,000
17	Escrow Closing Cost to Seller	Property Dispositions	2/1/2012	7/29/2016	City of Colton as SA	Seller's share of closing costs	RR24-RG01	10,000	N				10,000		\$ 10,000
18	Property Maintenance	Property Dispositions	2/1/2012	7/29/2016	City of Colton as SA	Weed abatement of site until sold	RR24-RG01	5,000	N				5,000		\$ 5,000
19	Brokerage Commission	Property Dispositions	2/1/2012	7/29/2016	TBD	Seller pays 6% brokerage fees	RR24-RG01	148,361	N				148,361		\$ 148,361
20	For Sale Marketing/Legal Notices	Property Dispositions	2/1/2012	7/29/2016	City of Colton as SA	Printed materials for sale of land	RR24-RG01	5,000	N				5,000		\$ 5,000
21	Legal Fees	Property Dispositions	2/1/2012	7/29/2016	Best Best & Krieger	Legal documents for land sale	RR24-RG01	50,000	N				50,000		\$ 50,000
22	101 Units Affordable Sr. Housing	OPA/DDA/Construction	7/1/2012	12/18/2012	Colton Housing Authority	Replacement per H&S Code Sec. 33413(a)	Original Site	-	Y				-		\$ -
23	0 Parcels - West Valley (22.2 acres)	Property Dispositions	2/1/2012	7/15/2027	City of Colton as SA staff	Project Management of Land Sale by SA	RR25-RG01	150,000	N				-		\$ -
24	Development Planning	Property Dispositions	2/1/2012	7/15/2027	TBD	Planning for maximum land use & value	RR25-RG01	100,000	N				-		\$ -

CERTIFICATION

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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
CITY OF COLTON)

I, EILEEN C. GOMEZ, Secretary of the Oversight Board of the Successor Agency to the Redevelopment Agency for the City of Colton, do hereby certify that the foregoing Resolution No. OB-03-13 was duly and regularly adopted by the Oversight Board of the Successor Agency to the Redevelopment Agency for the City of Colton at a regular meeting thereof on the 26th day of September, 2013 and that the same was passed and adopted by the following vote, to wit:

AYES: CHAIR GONZALES, VICE CHAIR MITCHELL, BICKERSTAFF, SAKS, AYALA

NOES: MORGAN

ABSENT: HENRY

ABSTAIN:



Eileen C. Gomez, Secretary
Oversight Board of the Successor Agency to
the Redevelopment Agency for the City of
Colton