

ITEM FOR THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COUNTY OF SAN BERNARDINO REDEVELOPMENT AGENCY

January 25, 2018

SUBJECT: Adopt Resolution approving the Recognized Obligation Payment Schedule for Fiscal Year 2018-19

RECOMMENDATION(S)

Adopt a resolution (Resolution No. 2018-0001) approving the Successor Agency Recognized Obligation Payment Schedule for Fiscal Year 2018-19 (ROPS 18-19).
(Presenter: Gary Hallen, Director of Community Development and Housing)

BACKGROUND INFORMATION

California Health & Safety Code Section (H&S Code) 34177 requires the Oversight Board to approve the Recognized Obligation Payment Schedules (ROPS). A copy of the ROPS is to be sent to the Department of Finance (DOF), County Auditor and the County Administrative Office.

The passage of SB 107 has instituted a new form, frequency and deadline for submitting the ROPS. The ROPS is now an annual form and must be submitted to DOF by February 1st of each year. DOF will have until April 15th to review the ROPS and provide the successor agency a compliance determination. If the successor agency disagrees with the DOF determination, a "meet and confer" is still allowed to facilitate a discussion between the successor agency and DOF. DOF must come to a final determination prior to May 15th or 15 days prior to the June 1st trust fund distribution.

It is recommended the Oversight Board approve the ROPS 18-19. The adopted ROPS 18-19 will be provided to the DOF and the County Auditor as required by SB 107. This will commence the DOF review period.

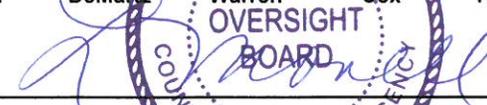
ATTACHMENTS

Attachment "A" – ROPS 18-19 for Fiscal Year 2018-19

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Record of Action of the Oversight Board of the Successor Agency

Action: APPROVED

| | | | | | | | |
|---------|---|--------|--------|--------|---------|---------|---------|
| | Aye | Move | Absent | Absent | Second | Aye | Absent |
| MOTION: | Smith | DeMarz | Warren | Cox | Roberts | Mayclin | Cabildo |
| BY |  | | | | | | |

DATED: 1/25/18



RESOLUTION NO. 2018-0001

RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE COUNTY OF SAN BERNARDINO REDEVELOPMENT AGENCY ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR FISCAL YEAR 2018-19

On Thursday January 25, 2018, on motion of Board Member DeMartz, duly seconded by Board Member Roberts and carried, the following resolution is adopted by the Oversight Board of County of San Bernardino, State of California.

WHEREAS, California Health and Safety Code Section (H&S) 34179 (e) requires all action items of the Oversight Board be accomplished by resolution;

WHEREAS, California Health and Safety Code Section (H&S) 34177 requires the Oversight Board to approve the Recognized Obligation Payment Schedules (ROPS);

WHEREAS, pursuant to SB 107, the deadline for submitting ROPS for Fiscal Year 2018-19 (ROPS 18-19) is February 1st; and

NOW, THEREFORE, BE IT RESOLVED, the Oversight Board of the Successor Agency to the County of San Bernardino Redevelopment Agency hereby determines as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The ROPS 18-19 in the form presented, together with such changes thereto as may be approved by the Oversight Board, are hereby approved.

Section 3. This resolution shall take effect from and after the date of its passage and adoption.

PASSED AND ADOPTED by the Oversight Board of the Successor Agency to the County of San Bernardino, State of California, by the following vote:

AYES: OVERSIGHT BOARD MEMBER: DeMartz, Mayclin, Roberts, Smith

NOES: OVERSIGHT BOARD MEMBER: None

ABSENT: OVERSIGHT BOARD MEMBER: Cabildo, Cox, Warren

* * * * *

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

I, **LAURA WELCH**, Secretary to the Oversight Board for the Successor Agency to the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Oversight Board, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of January 25, 2018.

LAURA WELCH
Secretary to the Oversight Board

By  _____


Recognized Obligation Payment Schedule (ROPS 18-19) - Summary

Filed for the July 1, 2018 through June 30, 2019 Period

Successor Agency: San Bernardino County
 County: San Bernardino

| Current Period Requested Funding for Enforceable Obligations (ROPS Detail) | 18-19A Total (July - December) | 18-19B Total (January - June) | ROPS 18-19 Total |
|--|-----------------------------------|----------------------------------|----------------------|
| A Enforceable Obligations Funded as Follows (B+C+D): | \$ 3,883,959 | \$ 2,511,104 | \$ 6,395,063 |
| B Bond Proceeds | - | - | - |
| C Reserve Balance | 3,883,959 | 2,023,108 | 5,907,067 |
| D Other Funds | - | 487,996 | 487,996 |
| E Redevelopment Property Tax Trust Fund (RPTTF) (F+G): | \$ 4,754,771 | \$ 3,582,991 | \$ 8,337,762 |
| F RPTTF | 4,517,771 | 3,569,991 | 8,087,762 |
| G Administrative RPTTF | 237,000 | 13,000 | 250,000 |
| H Current Period Enforceable Obligations (A+E): | \$ 8,638,730 | \$ 6,094,095 | \$ 14,732,825 |

Certification of Oversight Board Chairman:
 Pursuant to Section 34177 (o) 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 successor
 agency.

Name _____ Title _____
 /s/ Lena M. [Signature] 1/25/2018
 Signature _____ Date _____

San Bernardino County Recognized Obligation Payment Schedule (ROPS 18-19) - Report of Cash Balances
July 1, 2015 through June 30, 2016
(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. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#)

| A | B | C | D | E | F | G | H | I | |
|----------|---|--|---|---|--|------------------------------------|---------------------------|---|--|
| | | Fund Sources | | | | | | | |
| | | Bond Proceeds | | Reserve Balance | | Other | RPTTF | | |
| | Cash Balance Information for ROPS 15-16 Actuals (07/01/15 - 06/30/16) | Bonds issued on or before 12/31/10 | Bonds issued on or after 01/01/11 | Prior ROPS period balances and DDR RPTTF balances retained | Prior ROPS RPTTF distributed as reserve for future period(s) | Rent, grants, interest, etc. | Non-Admin and Admin | Comments | |
| 1 | Beginning Available Cash Balance (Actual 07/01/15) | | | 87,781 | 860,000 | 1,543,685 | 31,100 | Other- Most spent in subsequent periods | |
| 2 | Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16 total distribution from the County Auditor-Controller during January 2016 and June 2016. | | | 13,597 | | 678,374 | 9,930,985 | | |
| 3 | Expenditures for ROPS 15-16 Enforceable Obligations (Actual 06/30/16) | | | | 860,000 | 773,227 | 9,901,644 | | |
| 4 | Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s) | | | | | | | | |
| 5 | ROPS 15-16 RPTTF Balances Remaining | No entry required | | | | | | 20,554 | |
| 6 | Ending Actual Available Cash Balance (06/30/16) C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5) | \$ - | \$ - | \$ 101,378 | \$ - | \$ 1,448,832 | \$ 39,887 | | |

San Bernardino County Recognized Obligation Payment Schedule (ROPS 18-19) - Notes July 1, 2018 through June 30, 2019

| Item # | Notes/Comments |
|--------|---|
| | <u>ROPS Detail Page</u> |
| 1 | Removed - 2005 San Sevaine Debt Service Payments were refunded in 2016 and are the 2016 San Sevaine Series A and B Bonds (see line 54). |
| 2 | 2010 San Sevaine Debt Service Payments per bond indenture. |
| 3 | 2010 Cedar Glen Debt Service Payments per bond indenture. |
| 4 | Removed - 2005 San Sevaine Bonds Reserves were refunded in 2016 and these bonds are now called the 2016 San Sevaine Series A and B Reserves (see line 55). |
| 5 | 2010 San Sevaine Bonds Reserves per bond indenture. |
| 6 | 2010 Cedar Glen Debt Service Reserve calculated per DOF instructions; half of the principal required for the Fall debt service payment. |
| 7 | Removed Duplicate Line 45-48 |
| 8 | Removed Duplicate Line 45-48 |
| 9 | HDL to serve as the Fiscal Consultant for the ongoing annual Sevaine Tax Allocation Bond Disclosure reports. |
| 10 | Bond Counsel services include both General Bond Counsel and Disclosure Counsel to serve as the lead counsel for the any needs we have regarding the Tax Allocation Bond refunding. |
| 11 | Retire - Litigation Professional Services required representing the Successor Agency in ongoing litigation. No longer pursuing litigation |
| 12 | Central Services is for services such as data, phone and other IT central charges. These obligations are funded with other revenue and Administrative Allowance. |
| 13 | County Wide Cost Allocation are charges calculated for internal services incurred by the Successor Agency. These obligations are funded with other revenues and not Administrative Allowance. |
| 14 | County of San Bernardino and various others charges for services and supplies for the Oversight Board and Successor Agency. These obligations are funded with other funds and not Administrative Funds. |
| 15 | Economic Development Agency (EDA) Cost Allocation Obligation for services performed on behalf of the Successor Agency. These obligations are funded with other revenues and not Administrative Allowance. The Successor Agency operations are under the purview of the Economic Development Agency functions. |
| 16 | Salaries & Benefits Direct (non-project specific related) is funded with Administrative Allowance. |
| 17 | Retire - Sales Tax Incentive Agreement with Mohawk Carpet, the County and the former RDA. The County General Fund provides a portion of the sales taxes collected as a rebate payment to the Agency who in turn reimburses Mohawk. Agreement term ended in 2016. |
| 18 | Legal Consultant with Goldfarb and Lipman provides special legal counsel for the successor agency regarding dissolution activities. |
| 19 | CSG Advisors to serve as the Financial Advisor for the all Tax Allocation Bond refunding. |
| 20 | County Counsel's legal services to implement the Dissolution Act. |
| 21 | RAMS Audit Consulting Services to complete required Financial Statements Audit per the Dissolution Act and ongoing bond disclosure requirements. |
| 22 | Removed Duplicate Line 14 |
| 23 | Financial Professional Services with Keyser Marsten Associates for required financial analysis of the wind down of the Successor Agency Activities. Provides tax increment estimates and other financial models needed. |
| 24 | Office Rent |
| 25 | Maintenance of Properties costs incurred and required by the dissolution law. It is required that the Agency-owned property be maintained prior to the sale and disposal. |
| 26 | RSG Real Estate Professional Services to assist to implement Property Management and selling off remnant parcels. |
| 27 | Removed Retired |
| 28 | Retire Replacement Housing Obligation. |
| 29 | Removed Retired |
| 30 | Removed Duplicate Line 16 |
| 31 | Removed Retired |
| 32 | Retire Unpaid Leave Balances obligation paid in previous ROPS cycle. |
| 33 | Retire Unemployment Insurance obligation paid in previous ROPS cycle. |
| 34 | Removed Retired |
| 35 | Removed Retired. Transfer of Bond Proceeds Obligation has taken place. See Item 51. |
| 36 | Remove Retired. |

San Bernardino County Recognized Obligation Payment Schedule (ROPS 18-19) - Notes July 1, 2018 through June 30, 2019

| Item # | Notes/Comments |
|--------|--|
| 37 | Remove Retired. Construction project of the I-10 Interchange at Cherry Avenue has been completed. Bond Proceeds is the source of funds on this obligation. |
| 38 | Remove Retired. Transfer of Bond Proceeds Obligation has taken place. See Item 51. |
| 39 | Remove Retired. Transfer of Bond Proceeds Obligation has taken place. See Item 51. |
| 40 | Remove Retired. Transfer of Bond Proceeds Obligation has taken place. See Item 51. |
| 41 | Outside Consultants needed to assist the Agency with the required dissolution activities of financial winding down the Agency. |
| 42 | Retire - County of San Bernardino Special Districts contract to perform needed water systems improvements for Cedar Glen. This item was in litigation with DOF, but has now been decided, no further action will be taken by the County. |
| 43 | Removed Duplicate Line 29 |
| 44 | Retire - County of San Bernardino Special Districts contract to perform additional water systems improvements for Cedar Glen. This item was in litigation with DOF, but has now been decided, no further action will be taken by the County. |
| 45 | Removed Retired. County of San Bernardino Cedar Glen Water Project Loan was reinstated and approved in ROPS 14-15A. See Reinstatement of Loan on Item 52. |
| 46 | Removed Retired. County of San Bernardino Cedar Glen Start Up Loan was reinstated and approved in ROPS 14-15A. See Reinstatement of Loan on Item 52. |
| 47 | Removed Retired. County of San Bernardino Cedar Glen Road Study Loan was reinstated and approved in ROPS 14-15A. See Reinstatement of Loan on Item 52. |
| 48 | Removed Retired. County of San Bernardino Mission Blvd. Loan was reinstated and approved in ROPS 14-15A. See Reinstatement of Loan on Item 52. |
| 49 | Removed Retired. 20% of the Loan repayment to the County can go into Housing Asset Fund based on the prior year residual trust fund distribution and calculation. The total loan repayment is approved as item 52 and the housing (20%) portion is included in that obligation. |
| 50 | Remove Retired. Prior Period shortfall of Administrative Funds. After communication from DOF, this did not meet the criteria established by DOF. |
| 51 | Removed Retired. Successor Agency obtained its Finding of Completion on December 5, 2013, and can now after meeting certain conditions expend unencumbered bond proceeds. This obligation allows for the transfer of all remaining Bond Proceeds (including interest) to the County to be spent in accordance with the bond covenants and CRL. The actual transfer of Bond Proceeds to the County was complete in ROPS 14-15A period and this items is now retired. |
| 52 | Successor Agency obtained its Finding of Completion on December 5, 2013, and can now after meeting certain conditions, reestablish its prior loan agreements. This obligation allows for the repayment of \$11.023M of the Original Loan balance plus interest accrued to be repaid to the County from the residual trust fund distribution. County recalculated the interest payments accrued because of the new provisions in SB 107 for the \$10.415M principal loan balance and the amount is now \$11.023M. A new loan recalculation can be provided. |
| 53 | AB 471 allows for housing entities to receive up to \$150,000 per year to pay for housing functions of the former RDA. The County Housing Successor will use these funds to pay for Housing Administrative Costs. |
| 54 | 2016 San Sevaine Series A and B TAB Debt Service Payments. The 2016 Bonds refunded the 2005 Bonds for the San Sevaine Area (See Line 1) |
| 55 | 2016 San Sevaine Series A and B TAB - Debt Service Reserve Payments. Per the Bond Documents a full year of reserve is required to be held by the Trustee at the beginning of Bond year. |
| 56 | Bank Fee's for the 2016 and 2010 Bonds - BNY serves as the Trustee for all of the Successor Agency's Bond issuances and they also process our Debt Service Payments along with providing notice on all our disclosure activities. As the Trustee for our bonds they are entitled to bank fee's in the amount of \$5,000 annually. |