

RESOLUTION NO. 13-04

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JULY 1, 2013, THROUGH DECEMBER 31, 2013, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34179, DIVISION 24, PART 1.85, AND AUTHORIZING POSTING AND TRANSMITTAL THEREOF

WHEREAS, The City of Montclair Redevelopment Agency ("Agency") was established as a redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.*, ("CRL"), and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Montclair ("City"), and

WHEREAS, Assembly Bill X1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which laws cause the dissolution and wind down of all redevelopment agencies ("Dissolution Act"), and

WHEREAS, on December 29, 2011, in the petition *California Redevelopment Association v. Matosantos*, Case No. S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of and on February 1, 2012, under the dates in the Dissolution Act that were reformed and extended thereby; and

WHEREAS, the Agency is now a dissolved redevelopment agency pursuant to the Dissolution Act; and

WHEREAS, by Resolution considered and approved by the City Council at an open public meeting the City chose to become and serve as the "Successor Agency" to the dissolved Agency under the Dissolution Act; and

WHEREAS, as of and on and after February 1, 2012, the City serves and acts as the Successor Agency and is performing its functions as the successor agency under the Dissolution Act to administer the enforceable obligations of the Agency and otherwise unwind the Agency's affairs, all subject to the review and approval by a seven-member oversight board ("Oversight Board"), and

WHEREAS, Section 34179 provides that the Oversight Board has fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of Part 1.85 of the Dissolution Act; and

WHEREAS, pursuant to Section 34179, the Successor Agency's Oversight Board has been formed and the initial meeting has occurred on April 25, 2012; and

WHEREAS, the State Legislature approved and the Governor signed AB 1484 on June 29, 2012; and

WHEREAS, AB 1484 changed the date for submittal of the ROPS to no fewer than 90 days before the date of property tax distribution, and included a \$10,000 per day fine for each day the ROPS is delinquent; and

WHEREAS, the ROPS for July 1, 2013, through December 31, 2013, must be submitted to the County and State by March 1, 2013, and

WHEREAS, the Oversight Board approved the ROPS for July 1, 2013, through December 31, 2013, on February 27, 2013, and authorized the Successor Agency to post the ROPS on the City/Successor Agency website and transmitted the ROPS to the County Auditor-Controller, the State Department of Finance ("DOF"), and the State Controller's Office, and

WHEREAS, pursuant to the Dissolution Act, the actions of the Oversight Board, including those approved by this Resolution, do not become effective for five (5) business days pending any request for review by the DOF, and if the DOF requests review hereof, DOF will have 45 days from the date of its request to approve this Oversight Board action.

NOW, THEREFORE, BE IT RESOLVED that the Oversight Board of the Successor Agency to the City of Montclair Redevelopment Agency does hereby find and determine as follows:

Section 1. The Oversight Board finds and determines that the foregoing recitals incorporated into this Resolution by this reference are true and correct and constitute a material part of this Resolution.

Section 2. The Oversight Board approves the ROPS for the period of July 1, 2013, through December 31, 2013.

Section 3. The Oversight Board authorizes the Successor Agency to transmit the ROPS to the County Auditor-Controller, the DOF, and the State Controller's Office.

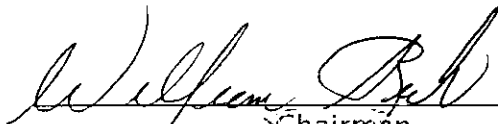
Section 4. The Secretary of the Successor Agency or her authorized designee is directed to post the ROPS on the City/Successor Agency website pursuant to the Dissolution Act.

Section 5. This Resolution shall become effective after transmittal of this Resolution with the ROPS attached to the DOF and the expiration of five (5) business days pending a request for the review of the DOF within the time periods set forth in the Dissolution Act; in this regard, if the DOF requests review hereof it will have ten days from the date of its request to approve this Oversight Board action or return it to the Oversight Board for reconsideration and the action, if subject to review by DOF, will not be effective until approved by the DOF.

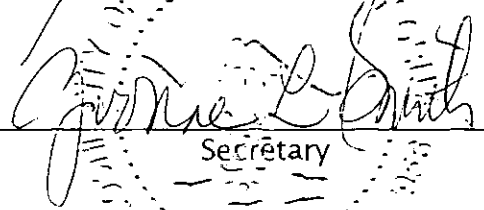
Section 6. The Secretary of the Oversight Board shall certify to the adoption of this Resolution and shall maintain this Resolution on file as a public record and the ROPS as approved hereby.

APPROVED AND ADOPTED this 27th day of February, 2013.

ATTEST:



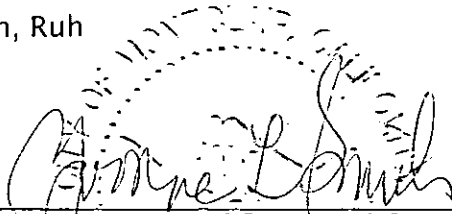
Chairman



Secretary

I, Yvonne L. Smith, Secretary of the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency, DO HEREBY CERTIFY that Resolution No. 13-04 was duly adopted by the Oversight Board of Directors at a regular meeting thereof held on the 27th day of February, 2013, and that it was adopted by the following vote, to-wit:

- AYES: Kulbeck, Erickson, Catlin, Johnson, Ruh
- NOES: None
- ABSTAIN: None
- ABSENT: Stallings, Richardson



Yvonne L. Smith
Secretary

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: **MONTCLAIR (SAN BERNARDINO)**

Outstanding Debt or Obligation	Total
Total Outstanding Debt or Obligation	\$95,994,879

Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	\$0
B Enforceable Obligations Funded with RPTTF	\$2,720,782
C Administrative Allowance Funded with RPTTF	\$291,289
D Total RPTTF Funded (B + C = D)	\$3,012,071
E Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$3,012,071
F Enter Total Six-Month Anticipated RPTTF Funding	\$4,000,000
G Variance (F - D = G) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	\$987,929

Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))


H Enter Estimated Obligations Funded by RPTTF <i>(lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)</i>	\$2,454,049
I Enter Actual Obligations Paid with RPTTF	\$2,454,049
J Enter Actual Administrative Expenses Paid with RPTTF	\$0
K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)	\$0
L Adjustment to RPTTF (D - K = L)	\$3,012,071

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.

Bill Ruh		Chairman
Name		Title
/s/		2/27/2013
Signature		Date

MONTCLAIR (SAN BERNARDINO)

Pursuant to Health and Safety Code section 34186 (a)

PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS II)

July 1, 2012 through December 31, 2012

Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF		Bond Proceeds		Reserve Balance		Admin Allowance		RPTTF		Other	
					Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
					\$1,165,547	\$57,681	\$0	\$0	\$0	\$384,799	\$473,994	\$0	\$12,486,409	\$2,454,049	\$0	\$0
RPTTF Pg 1. 1	1997 Taxable Tax Allocation Bonds	Bank of New York Mellon	Bond Issue to Fund Non-Housing Projects	Project Area 1									32,010	23,820		
RPTTF Pg 1. 2	2007A Tax Allocation Refunding Bonds	Bank of New York Mellon	Bond Issue to Fund Non-Housing Projects	Project Area 3									1,574,269	984,235		
RPTTF Pg 1. 3	2007B Taxable Tax Allocation Bonds	Bank of New York Mellon	Bond Issue to Fund Non-Housing Projects	Project Area 3									301,052	214,642		
RPTTF Pg 1. 4	2004 Tax Allocation Bonds	Bank of New York Mellon	Bond Issue to Fund Non-Housing Projects	Project Area 4									365,175	253,988		
RPTTF Pg 1. 5	2001 Tax Allocation Bonds	Bank of New York Mellon	Bond Issue to Fund Non-Housing Projects	Project Area 5									758,585	530,480		
RPTTF Pg 1. 6	2006A Tax Allocation Bonds	Bank of New York Mellon	Bond Issue to Fund Non-Housing Projects	Project Area 5									563,099	368,985		
RPTTF Pg 1. 7	2006B Tax Allocation Bonds	Bank of New York Mellon	Bond Issue to Fund Non-Housing Projects	Project Area 5									155,800	77,900		
RPTTF Pg 1. 8	2008 Tax Allocation Notes	Bank of New York Mellon	Mission Blvd-Notes Issue to Fund Non-Housing Projects	Project Area 6									8,271,900.00			
RPTTF Pg 1. 9	Employee Costs	Employees of Agency	Project Management Costs	All Areas									205,740.30			
RPTTF Pg 1. 10	Advertising for Bond Costs	Source Media	Publication of Bond Call Notice	All Areas									4,500.00			
RPTTF Pg 1. 11	Contract for Professional Service	Southern California Landscape	Foundation Area 11 Required Repairs/Replacement	Project Area 3								29,969.01	20,000.00			
RPTTF Pg 1. 12	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Agency Legal Services	All Areas									62,100.00			
RPTTF Pg 1. 13	Commercial Rehabilitation Loan Agreement	Jana Mana Campbell & Dennis Sillett	Commercial Rehabilitation Loan	Project Area 4								806.50	10,000.00			
RPTTF Pg 1. 14	Monument Sign Repairs	Sign A Rama	Foundation Area 11 Required Repairs	Project Area 3									2,000.00			
RPTTF Pg 1. 15	Maintenance Contract	Landmark Fence	Foundation Area 11 and 12 Required Repairs	Project Area 3									10,000.00			
RPTTF Pg 1. 16	Contract for Bond Trustee Service	Bank of New York Mellon	Annual Bond Trustee Fees/Costs	All Areas								12,942.60	9,650.00			
RPTTF Pg 1. 17	Contract for Legal Services	Best Best & Krieger LLP	Agency Legal Services	Project Area 3								6,489.90	70,626.00			
RPTTF Pg 1. 18	Contract for Bond Services	Bondlogstix LLC	Bond Continuing Disclosure Services	All Areas									13,500.00			
RPTTF Pg 1. 19	Contract for Bond Services	Bondlogstix LLC	Bond Arbitrage Rebate Calculation Services	All Areas									11,500.00	10,500.00		
RPTTF Pg 1. 20	Contract for Consulting Services	Southern California Association of Gov	Cost to Participate in Compass 2 Percent Strategy Program	Project Area 3									25,000.00			
RPTTF Pg 2. 1	Rent of Office Space	Montclair Town Center LLC	Office Rent	Proj Area 1, 3, 4, 5								15,720.80	12,802.80			
RPTTF Pg 2. 2	Contract for Professional Services	Donald Parker, CPA	Financial Oversight Services/Replace Finance Director	All Areas									5,000.00			
RPTTF Pg 2. 3	Office Supplies	Staples/Office Depot	Office Supplies	All Areas									600.00			
RPTTF Pg 2. 4	Contract for Legal Services	Robbins and Holdaway	Legal Services	All Areas									2,500.00			
DOTHER Pg 1. 1	Rehabilitation Loan Agreements	Montclair Housing Corporation	Rehabilitation Loan for Replacement Housing / Other	All Areas	1,000,000.00											
DOTHER Pg 1. 2	Housing Improvement Costs	Neighborhood Partnership Housing	Safe Homes for Seniors Costs	All Areas		4,000.00										
DOTHER Pg 1. 3	Housing Improvement Loans	Neighborhood Partnership Housing	Single Family Housing Rehabilitation Loans	All Areas		30,000.00										
DOTHER Pg 1. 4	Homebuyers Assistance Program Agreement	US Bank	Shared Appreciation Costs on Homebuyer Assistance Program	Project Area 4 & 5	1,000.00											
DOTHER Pg 1. 5	Homebuyers Assistance Program Agreement	US Bank	Homebuyer Assistance Program Servicing Fees	Project Area 4 & 5	304.00											
DOTHER Pg 1. 6	Contract for Professional Service	Landscape Maintenance Unlimited	Asset Maintenance	Project Area 5	1,998.00							438.67				
DOTHER Pg 1. 7	Employee Costs	Employees of Agency	Affordability Monitoring & Project Mgmt Costs	All Areas	68,245.26	57,680.82										
DOTHER Pg 1. 8	Contract Legal Services	Stradling, Yocca, Carlson & Rauth	Legal Services	All Areas	24,000.00							3,449.15				
DOTHER Pg 1. 9	Office Supplies	Staples/Office Depot	Office Supplies	All Areas	200.00											
DOTHER Pg 1. 10	Contract Legal Services	Robbins and Holdaway	Legal Services	All Areas	1,000.00											
DOTHER Pg 1. 11	Maintenance Contract	Buchbinder Maintenance	Vandalism Repairs	Project Area 5	1,500.00											
DOTHER Pg 1. 12	Housing Improvement Fees	Neighborhood Partnership Housing	Service Fees for Grants	All Areas	3,300.00											
DOTHER Pg 1. 13	Housing Improvement Fees	Neighborhood Partnership Housing	Service Fees for Loans	All Areas	30,000.00											
ADMIN Pg 1. 1	Employee Costs	Employees of Agency / Successor Agency	Payroll for Employees	All Areas								138,990.57	190,677.54			
ADMIN Pg 1. 2	Contract for Legal Services	Robbins & Holdaway	Legal Services	All Areas									10,002.00			
ADMIN Pg 1. 3	Agency Vocational Training Costs	League of California Cities	Successor Agency Vocational Training	All Areas									1,000.00			
ADMIN Pg 1. 4	Agency Insurance Costs	Kessler-Alair Insurance Services	Public Employee's Bond	All Areas									87.00			
ADMIN Pg 1. 5	Agency Delivery Service	Federal Express Corp	Delivery Service	All Areas									250.02			
ADMIN Pg 1. 6	Contract for Professional Service	Hdl Coren & Cone	Pass Through Calculations	All Areas									10,000.00			
ADMIN Pg 1. 7	Contract for Professional Service	Donald Parker, CPA	Financial Oversight Services	All Areas									20,000.00			
ADMIN Pg 1. 8	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal Services	All Areas									60,000.00			
ADMIN Pg 1. 9	Office Supplies	Staples/Office Depot	Office Supplies	All Areas								200.00	200.00			
ADMIN Pg 1. 10	Agency Insurance Costs	California Insurance Pool Authority	General Liability Insurance	All Areas								3,630.00	3,630.00			
ADMIN Pg 1. 11	Agency Insurance Costs	California Insurance Pool Authority	Earthquake/Flood Insurance	All Areas								4,626.00	4,626.00			
ADMIN Pg 1. 12	Agency Insurance Costs	Kessler-Alair Insurance Services	Fire Insurance	All Areas								876.00	876.00			
ADMIN Pg 1. 13	Overhead Costs	City of Montclair	Overhead Utility Costs	All Areas								15,963.00	15,963.00			
ADMIN Pg 1. 14	Employee Costs	City of Montclair	Indirect Staff Charges	All Areas								107,742.00	107,742.00			
ADMIN Pg 1. 15	Retirement Costs	City of Montclair	Retiree Pension and Benefits	All Areas									17,240.52			
ADMIN Pg 1. 16	Member Fee	Gold Line Construction Authority	Gold Line Membership	Project Area 3								31,455.00	30,000.00			
ADMIN Pg 1. 17	Contract for Professional Service	First American Data Tree	Property Search Services	Project Area 3									1,000.00			
ADMIN Pg 1. 18	Contract for Safekeeping Services	First Tennessee Bank Safekeeping	Investment Safekeeping Services	Project Area 3									700.00			

MONTCLAIR (SAN BERNARDINO)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A) -- Notes (Optional)

July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Notes/Comments
1	1997 Taxable Tax Allocation Bonds	
2	2007A Tax Allocation Refunding Bonds	
3	2007B Taxable Tax Allocation Bonds	
4	2004 Tax Allocation Bonds	
5	2001 Tax Allocation Bonds	
6	2006A Tax Allocation Bonds	
7	2006B Tax Allocation Bonds	
8	Employee Costs	Since we are unable to modify description - These are reported on line 28; therefore, this line can be omitted in future ROPS.
9	Advertising for Bond Costs	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
10	Contract for Legal Services	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
11	Comm. Rehab. Loan Agreement	Estimated costs.
12	Contract for Bond Trustee Service	Estimated costs.
13	Contract for Legal Services	Estimated costs.
14	Contract for Bond Services	Estimated costs.
15	Contract for Bond Services	Estimated costs.
16	Contract for Consulting Services	
17	Audit Services	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
18	Rent of Office Space	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
19	Contract for Legal Services	Estimated costs which are dependent upon services required.
20	Rehabilitation Loan Agreements	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
21	Homebuyers Assist. Program Agmt.	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
22	Homebuyers Assist. Program Agmt.	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
23	Contract for Professional Service	Estimated costs which are dependent upon services required.
24	Employee Costs	Since we are unable to modify description - These are reported on line 28; therefore, this line can be omitted in future ROPS.
25	Contract Legal Services	Since we are unable to modify description - These are reported on line 31, therefore, this line can be omitted in future ROPS.
26	Contract Legal Services	Since we are unable to modify description - These are reported on line 19; therefore, this line can be omitted in future ROPS.
27	Maintenance Contract	Since we are unable to modify description, these services are not needed; therefore, this line can be omitted in future ROPS.
28	Employee Costs	
29	Contract for Legal Services	Since we are unable to modify description - These are reported on line 19; therefore, this line can be omitted in future ROPS.
30	Agency Insurance Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
31	Contract for Legal Services	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
32	Office Supplies	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
33	Agency Insurance Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
34	Agency Insurance Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
35	Agency Insurance Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
36	Overhead Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
37	Retirement Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
38	Contract for Safekeeping Services	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
39	Contract for Appraisal Services	Estimated costs pending of finding of completion and necessary for land disposal process.
40	Contract for Asset Mgmt / Disposal Plan	Estimated costs pending of finding of completion and necessary for land disposal process.
41	Employee Costs	Administrative costs covered by reimbursement agreement between Successor Agency and City of Montclair
42	Public facility, infrastructure and economic development obligations	Utilization of pre 1/1/2011 bond proceeds pending finding of completion. Enforceable obligation will be created once finding of completion is received and approval of Oversight Board is obtained.

SUCCESSOR AGENCY CONTACT INFORMATION

Successor Agency

ID:

265

County:

San Bernardino

Successor Agency:

Montclair

Primary Contact

Honorific (Ms, Mr, Mrs)

Mr.

First Name

Donald L.

Last Name

Parker

Title

Finance Director

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909-625-9418

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Marilyn

Last Name

Staats

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Deputy City Manager/Exec. Dir. Econ. Dev.

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