

**RESOLUTION NO. 2012-28**

**A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE CITY OF YUCAIPA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. 2012-24, APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULES PURSUANT TO HEALTH AND SAFETY CODE SECTION 34180 FOR THE SIX-MONTH FISCAL PERIOD COMMENCING JANUARY 1, 2012 AND ENDING JUNE 30, 2012 AND THE SIX-MONTH FISCAL PERIOD COMMENCING JULY 1, 2012 AND ENDING DECEMBER 31, 2012, AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH**

**RECITALS:**

A. Health and Safety Code Section 34177 provides that before each six-month fiscal period, a successor agency to a former redevelopment agency must prepare a Recognized Obligation Payment Schedule ("ROPS") for the enforceable obligations of the former redevelopment agency in accordance with the requirements of Section 34177.

B. The Successor Agency to the City of Yucaipa Redevelopment Agency (the "Successor Agency") has submitted to the Oversight Board for the Successor Agency (the "Oversight Board") a ROPS for the six-month fiscal period that commences on January 1, 2012 and ends on June 30, 2012, attached hereto as Exhibit A and incorporated herein by reference (the "First ROPS") and a ROPS for the six-month fiscal period that commences on July 1, 2012 and ends on December 31, 2012, attached hereto as Exhibit B and incorporated herein by reference (the "Second ROPS").

C. Pursuant to Health and Safety Code Section 34180(g), establishment of a ROPS by the Successor Agency shall be approved by the Oversight Board.

D. Health and Safety Code Section 34177(l)(2) provides that the First ROPS must be reviewed and certified, as to its accuracy, by an external auditor designated pursuant to Health and Safety Code Section 34182 and that the Oversight Board is to approve the certified First ROPS.

E. Pursuant to subdivisions (l)(2)(C) and (l)(3) of Health and Safety Code Section 34177, as modified by the California Supreme Court, a copy of the certified and approved First ROPS must be submitted to the California Department of Finance ("DOF") by April 15, 2012.

F. As of the date of this Resolution, the audit described in paragraph D has not been completed, and the First ROPS has not been reviewed and certified as to its accuracy by an external auditor. The Auditor-Controller of San Bernardino County informed staff of the Successor Agency that the audit cannot be completed by April 15, 2012. In a letter from DOF to county boards of supervisors, city administrators, and redevelopment agency successor agency representatives, dated March 2, 2012, DOF states that the First ROPS must be approved by the Oversight Board in final form no later than April 15, 2012 and must be submitted to DOF by

April 15, 2012. DOF also states in such letter that the First ROPS must be submitted to the auditor performing the agreed upon procedures audit for review, but that if the county auditor-controller states that the review of the First ROPS cannot be completed by April 15, 2012, then DOF advises oversight boards to submit the ROPS to DOF without waiting for the auditor's review.

G. DOF may review an oversight board action taken pursuant to AB X1 26. All oversight board actions shall not be effective for three business days, pending a request for review by DOF. In the event that DOF requests review of a given oversight board action, DOF shall have ten days from the date of its request to approve the oversight board action or return it to the oversight board for reconsideration and such oversight board action shall not be effective until approved by DOF. In the event that DOF returns the oversight board action to the oversight board for reconsideration, the oversight board shall resubmit the modified action for DOF approval and the modified oversight board action shall not become effective until approved by DOF.

H. On April 17, 2012, the DOF notified the Agency staff that the DOF would be requesting a review of one or more enforceable obligations contained in the Second ROPS. On April 27, 2012, the DOF sent a formal letter identifying the specific items that were being challenged and provided the Successor Agency with an opportunity to provide further evidence that the items questioned meet the definition of an enforceable obligation. The Second ROPS has been amended to isolate the items challenged by the DOF, pending final approval, and to make other clarifying amendments including a change in the submittal form, as requested by the office of the San Bernardino County Auditor-Controller.

**NOW, THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE YUCAIPA REDEVELOPMENT AGENCY, HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:**

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

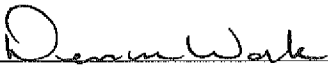
Section 2. This Resolution is adopted pursuant to Health and Safety Code Section 34180(g).

Section 3. Subject to certification of the First ROPS by an external audit in accordance with paragraph D hereof, the Oversight Board hereby approves the First ROPS with no change, and the amended Second ROPS and hereby directs the staff of the Successor Agency to post the First ROPS and the amended Second ROPS on the Successor Agency's Internet website (being a page on the Internet website of the City of Yucaipa) and submit the amended Second ROPS to the County Auditor-Controller and State Controller's Office ("SCO") and to the DOF, together with a copy of this Resolution and the telephone number and email contact information for the Finance Officer of the Successor Agency, the official designated by the Oversight Board to whom DOF may make a request for review in connection with ROPS's. Unless the County Auditor-Controller, the SCO, or DOF directs otherwise, such submittal may

be by mail or electronic means, and a notification providing the Internet website location of the posted documents will suffice.

Section 4. The officers of the Oversight Board and the staff of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution.

**PASSED AND ADOPTED** this 10 day of May, 2012.

  
\_\_\_\_\_  
Chair

ATTEST:

  
\_\_\_\_\_  
Secretary

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE - CONSOLIDATED  
FILED FOR THE July 2012 to December 2012 PERIOD**

Name of Successor Agency \_\_\_\_\_ Yucaipa Redevelopment Agency \_\_\_\_\_

	Current	
	Total Outstanding Debt or Obligation	Total Due During Fiscal Year
<b>Outstanding Debt or Obligation</b>	\$ 9,016,294.02	\$ 990,600.50
	<b>Total Due for Six Month Period</b>	
<b>Outstanding Debt or Obligation</b>	\$ 418,288.27	
Available Revenues other than anticipated funding from RPTTF	\$ 106,980.27	
Enforceable Obligations paid with RPTTF	\$ 183,469.50	
Administrative Cost paid with RPTTF	\$ 127,838.50	
Pass-through Payments paid with RPTTF	\$ -	
<b>Administrative Allowance</b> (greater of 3% of anticipated Funding from RPTTF or 250,000. Note: Calculation should not include pass-through payments made with RPTTF. The RPTTF Administrative Cost figure above should not exceed this Administrative Cost Allowance figure)	\$ 250,000.00	

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

**Denise Work** **Chairperson**

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Name Title

*Denise Work*

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Signature Date

Name of Redevelopment Agency: Yucalpa Redevelopment Agency  
 Project Area(s): RDA Project Area All

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

Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area/Agency Code Acct. Code (RR01- RG01)	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	*** Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF)					Total		
								Jul 2012	Aug 2012	Sep 2012	Oct 2012	Nov 2012		Dec 2012	
1) 1998 Tax Allocation Bonds	4/27/1998	Union Bank	Bonds issue to fund non-housing projects	All Areas	500,000.00	41,517.00	RPTTF			20,756.50					\$ 20,756.50
2) 2004 Tax Allocation Bonds	9/13/2004	Union Bank	Bonds issue to fund non-housing projects	All Areas	1,835,000.00	128,900.00	RPTTF			64,400.00					\$ 64,400.00
3) 2010 Tax Allocation Bonds	10/11/2010	Union Bank	Bonds issue to fund non-housing projects	All Areas	6,030,000.00	394,070.00	RPTTF			192,035.00					\$ 192,035.00
4) Professional Services		Willdan Financial	Bond Disclosure Services	All Areas	6,000.00	6,000.00	RPTTF								\$ 6,000.00
5) Professional Services		Tearran Ramirez & Smith	Audit Services	All Areas	7,500.00	7,500.00	RPTTF				3,000.00				\$ 3,000.00
6) Agency Counsel		Stueding, Tocal, Carlson	Agency Counsel	All Areas	12,000.00	12,000.00	RPTTF			1,000.00					\$ 1,000.00
7) Agency Counsel		Richards Watson Gershon	Agency Counsel	All Areas	60,000.00	60,000.00	RPTTF			5,000.00					\$ 5,000.00
8) Agency Development Consultant		Various	Community Development Consultant	All Areas	38,720.00	17,600.00	RPTTF			1,466.67					\$ 1,466.67
9) Oversight Committee Meetings		Various	Oversight Committee Expenditures	All Areas	10,000.00	10,000.00	RPTTF			833.33					\$ 833.33
10)															\$ -
11)															\$ -
12) Deduction for payments to be made from Tax Increment collections prior to February 1, 2012					(146,523.99)	(146,523.99)	RPTTF			(146,523.99)					\$ (146,523.99)
13)															\$ -
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Totals - This Page (RPTTF Funding)					\$ 8,452,896.02	\$ 520,963.02	N/A	\$ 8,300.00	\$ 138,969.52	\$ 11,300.00	\$ 8,300.00	\$ 8,300.00	\$ 8,300.00	\$ 8,300.00	\$ 183,469.50
Totals - Page 2 (Other Funding)					\$ 507,821.00	\$ 213,960.48	N/A	\$ 17,830.05	\$ 17,830.05	\$ 17,830.05	\$ 17,830.05	\$ 17,830.05	\$ 17,830.05	\$ 17,830.05	\$ 106,980.27
Totals - Page 3 (Administrative Cost Allowance)					\$ 255,677.00	\$ 255,677.00	N/A	\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 127,638.60
Totals - Page 4 (Pass Thru Payments)					\$ -	\$ -	N/A	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grand Total - All Pages					\$ 9,016,294.02	\$ 990,600.50		\$ 47,436.46	\$ 178,105.98	\$ 50,436.46	\$ 47,436.46	\$ 47,436.46	\$ 47,436.46	\$ 47,436.46	\$ 418,288.27

\* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/7/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.  
 \*\* 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  
 LMIHF - Low and Moderate Income Housing Fund  
 Admin - Successor Agency Administrative Allowance  
 Other - reserves, rents, interest earnings, etc  
 Bonds - Bond proceeds



FORM C - Administrative Cost Allowance Paid With Redevelopment Property Tax Trust Fund (RPTTF)

Name of Redevelopment Agency: Yucaipa Redevelopment Agency  
 Project Area(s): RDA Project Area All

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

Project Name / Debt Obligation	Payee	Description	Project Area/Agency Code/Account Code (RR01-RG01)	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source **	Payments by month						Total	
							Jul 2012	Aug 2012	Sep 2012	Oct 2012	Nov 2012	Dec 2012		
1) Employee Costs	Employees of Agency	Payroll for employees <1>	All Areas	143,622.00	143,622.00	Admin	11,968.50	11,968.50	11,968.50	11,968.50	11,968.50	11,968.50	71,811.00	
2) Employee Costs	City of Yucaipa	Overhead Allocation	All Areas	112,055.00	112,055.00	Admin	9,337.92	9,337.92	9,337.92	9,337.92	9,337.92	9,337.92	56,027.50	
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<b>Totals - This Page</b>								\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 21,306.42	\$ 127,838.50

\* 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 before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.

\*\* 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.)

<1> EOPs shows \$350,000 in Outstanding Obligation, Amount of \$187,921 included in Direct Administration for Bond Funded projects.  
 Bonds - Bond proceeds  
 Admin - Successor Agency Administrative Allowance  
 LMIHF - Low and Moderate Income Housing Fund  
 \*\*\*\* - Administrative Cost Allowance caps are 5% of Form A 6-month totals in 2011-12 and 3% of Form A 6-month totals in 2012-13. The calculation should not factor in pass through payments paid for with RPTTF in Form D.

FORM D - Pass-Through Payments

Name of Redevelopment Agency: Yucaipa Redevelopment Agency  
 Project Area(s) RDA Project Area All

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

Project Name / Debt Obligation	Payee	Description	Project Area/Agency Code Account Code (RR01-RG01)	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Source of Funding***	Pass Through and Other Payments ****					Total	
							Jul 2012	Aug 2012	Sep 2012	Oct 2012	Nov 2012		Dec 2012
1)													
2)													
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Intentionally Left Blank - Pass-through payments to be paid by San Bernardino County prior to distribution of Tax Increment													
<b>Totals - Other Obligations</b>							\$	\$	\$	\$	\$	\$	\$

\* 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 before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.  
 \*\* 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  
 LMHF - Low and Moderate Income Housing Fund  
 Admin - Successor Agency Administrative Allowance  
 Bonds - Bond proceeds  
 Other - reserves, rents, interest earnings, etc  
 \*\*\*\* - Only the January through June 2012 ROPS should include expenditures for pass-through payments. Starting with the July through December 2012 ROPS, per HSC section 34183 (a) (1), the county auditor controller will make the required pass-through payments prior to transferring money into the successor agency's Redevelopment Obligation Retirement Fund for items listed in an oversight board approved ROPS.



Name of Redevelopment Agency: Yucalpa Redevelopment Agency  
 Project Area(s): RDA Project Area All

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

Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area/Agency Code (RR01- RG01)	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Funding Source ***	Payable from Other Revenue Sources					Total
								Jul 2012	Aug 2012	Sep 2012	Oct 2012	Nov 2012	
<b>Items under review by Department of Finance (not included in totals)</b>													
1) Sorenson Participation Agreement		Various	Wilson Creek / Dunlap Area Improvements - Implementation of DDA	All Areas	752,700.00	502,700.00	RPTTF <1>						502,700.00
2) Sorenson Participation Agreement		Various	Wilson Creek / Dunlap Area Improvements - Implementation of DDA	All Areas	1,000,000.00	750,000.00	Bonds						750,000.00
3) Contract for Lighting Fixtures		Sternberg Lighting / Prudential Lighting	Lighting Fixtures for Uptown Project	All Areas	445,000.00		Bonds						
4) Project Operating Costs		Various	Project Costs/Testing/Survey required to complete Uptown Streetscape Project	All Areas	187,480.00		Bonds						
5) Contract for Lighting Improvements		B.W. Simmons / City of Yucalpa	Lighting installation for Uptown Project.	All Areas	136,340.00		Bonds						
6) Lighting Improvements		To Be Determined	Uptown Streetscape Project (Total: \$203,500)	All Areas	66,980.00		Bonds						
7) Contract for Landscaping Installation		Three Peaks / City of Yucalpa	Landscaping Installation for Uptown Project	All Areas	289,758.50		Bonds						
8) Landscaping Improvements / Remaining		City of Yucalpa	Loan for Uptown Streetscape Project (Total Loan: \$457,582.50)	All Areas	174,000.00		Bonds						
9) Contract for Roundabout / Remaining City of Yucalpa Loan		Aaron Ebby / City of Yucalpa	AT Installation for California St Roundabout	All Areas	142,000.00		Bonds						
10) Roundabout At / Remaining City of Yucalpa Loan		City of Yucalpa	Loan for AT Installation at 2nd St Roundabout (Total Loan: \$350,000)	All Areas	208,000.00		Bonds						
11) City of Yucalpa Loan		City of Yucalpa	Loan including allocation to complete Uptown Streetscape Project.	All Areas	150,000.00		Bonds						
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33)													
Totals - LMIHF							\$						\$
Totals - Bond Proceeds							\$						\$
Totals - Other							\$						\$
Grand total - This Page							\$						\$

Please note cells highlighted in yellow require manual input by funding category (i.e. LMIHF, BONDS, OTHER) so they can link to FORM A and COVER PAGE

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 \*\* 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.)  
 <1> Funding included in Other category.  
 RPTTF - Redevelopment Property Tax Trust Fund  
 LMIHF - Low and Moderate Income Housing Fund  
 Bonds - Bond proceeds  
 Admin - Successor Agency Administrative Allowance  
 Other - reserves, rents, interest earnings, etc