

**OVERSIGHT BOARD FOR SUCCESSOR AGENCY TO THE
VICTOR VALLEY ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING AGENDA**

City of Victorville
14343 Civic Drive, Conference Room "D"
Victorville, CA 92392

Thursday, August 23, 2012
3:30 P.M.

CALL TO ORDER

ITEM 1 PUBLIC COMMENT

BUSINESS ITEMS

ITEM 2 APPROVE MINUTES FROM MAY 24, 2012 AND JULY 26, 2012 REGULAR MEETINGS

DISCUSSION AGENDA

ITEM 3 DISCUSSION AND ADOPTION OF RESOLUTION OB-VVEDA-12-005 APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE #3 (ROPS#3) AND ADMINISTRATIVE BUDGET FOR JANUARY 1, 2013 THROUGH JUNE 30, 2013

ITEM 4 NEXT REGULARLY SCHEDULED MEETING: SEPTEMBER 13, 2012

ITEM 5 COMMENTS FROM OVERSIGHT BOARD AND STAFF

ITEM 6 AJOURNMENT

**MINUTES OF THE
REGULAR MEETING
OF THE OVERSIGHT BOARD
FOR SUCCESSOR AGENCY TO THE
VICTOR VALLEY ECONOMIC DEVELOPMENT AUTHORITY
May 24, 2012**

The meeting of the Oversight Board for the Successor Agency to the Victor Valley Economic Development Authority was called to order at 3:35 p.m. by Keith Metzler, Chairman to the Oversight Board for the Victor Valley Economic Development Authority, in Conference Room "D," Victorville City Hall, 14343 Civic Drive, Victorville, California.

ROLL CALL

PRESENT: Board Members Hoegerman, Lamoreaux, Metzler, and Robertson

ABSENT: Board Members Johnson and O'Toole

Also present was Board Secretary Jennifer Thompson, VVEDA Treasurer, Marc Puckett, VVEDA Controller, Robbeyn Bird and Sophie Escobar, City of Victorville

PUBLIC COMMENT

PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

There was no public comment.

BUSINESS ITEMS

APPROVE MINUTES FROM APRIL 12, 2012 INITIAL MEETING AND MAY 10, 2012 REGULAR MEETING

It was requested by Board Member Lamoreaux that the minutes be voted on separately due to abstentions needing to be made.

It was moved by Board Member Robertson and seconded by Chairman Metzler to approve the minutes of April 12, 2012. Due to lack of a majority of the members being able to vote, minutes were not approved.

It was moved by Board Member Hoegerman and seconded by Board Member Lamoreaux to approve the minutes of May 10, 2012. Motion carried unanimously with Board Members Johnson and O'Toole absent.

DISCUSSION AGENDA

UPDATE AND POSSIBLE ACTION – ROPS#1 (JAN-JUNE 2012) & UPDATE AND POSSIBLE ACTION – ROPS#2 (JULY-DEC 2012)

It was recommended by Chairman Metzler to address Items 3 and 4 together to review discussions with the County Auditor Controller and Department of Finance. It was noted that Item 4 was an action item which is dealing with ROPS#2 for the period of July-December 2012. The Auditor Controller identified to staff clearly that they were not offering any leeway with respect to their role in administering the distribution of funds to the successor agencies and that their role is to make the distribution of funds to successor agencies based upon an approved ROPS, particularly ROPS#2 and that they are giving until June 1st for successor agencies and oversight boards to receive their approval letter from the Department of Finance which is the triggering mechanism for them to input the data into their system and start cutting checks. The critical issue for successor agencies and oversight boards is dealing with obtaining an approved ROPS. It was noted that the Department of Finance had issues with the duplication of items on the ROPS and it was the determination of

Minutes of Oversight Board for the Successor Agency to the Victor Valley Economic Development Authority
May 24, 2012

the Department of Finance to take all form B items off the VVEDA ROPS and to recognize the JPA as the enforceable obligation under from A. Effectively what has been done is the ROPS has been revised to identify on form A, just the JPA based upon the same methodology that VVEDA has been using in terms of calculating the tax increment. Form C has also been preserved carrying over the same amount for the administrative cost allowance. The Department of Finance also asked that since the pass throughs are clearly being administered through the County that there is no point in identifying those pass through amount on form D. At the last Board meeting, the Board had given authorization to make minor modifications to this document, which has been done and submitted. The Department of Finance asked that the Board ratify the ROPS. The action that is before the Board is to ratify execution and approval of the document and its transmittal to the Department of Finance.

Chairman Metzler and Board Member Robertson discussed how this simplified the ROPS for VVEDA.

Marc Puckett discussed the VVEDA agreed upon procedures and the change due to the revised ROPS.

Sophie Escobar indicated that although ROPS#2 is the item being dealt with today due to timing issues, ROPS#1 will still need to be revised and resubmitted according to the Department of Finance's new direction.

Discussion ensued as it relates to payment for the agreed upon procedures and audit for VVEDA. It was relayed that payment for these items is made prior to any distribution to the successor agency.

Discussion ensued as it relates to ROPS#1 and timing for approval. It was noted that this should happen as soon as possible.

THAT THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE VICTOR VALLEY ECONOMIC DEVELOPMENT AUTHORITY APPROVE ROPS#2 AS PRESENTED AND AUTHORIZE THE RATIFICATION OF THE CHAIRMAN'S SIGNATURE IN THE FORMAL RATIFICATION OF THIS TRANSMITTAL TO THE DEPARTMENT OF FINANCE.

THAT THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE VICTOR VALLEY ECONOMIC DEVELOPMENT AUTHORITY AUTHORIZING THE REDRAFTING AND REFORMATTING OF ROPS#1 AND AUTHORIZE THE CHAIRMAN'S APPROVAL AND DISRIBUTION TO THE DEPARTMENT OF FINANCE REQUIRING ULTIMATE RATIFICATION IF THAT IS DONE IN ADVANCE OF A BOARD MEETING.

Marc Puckett noted that since there have not been any payments, the numbers for ROPS#1 should be identical to what is presented for ROPS#2.

It was moved by Board Member Lamoreaux, seconded by Board Member Hoegerman, motion carried unanimously with Board Members Johnson and O'Toole absent.

NEXT REGULARLY SCHEDULED MEETING

Chairman Metzler identified that the next regularly scheduled meeting is June 14, 2012 at 3:30.

COMMENTS FROM OVERSIGHT BOARD AND STAFF

None

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May 24, 2012

ADJOURNMENT

It was moved by Board Member Lamoreaux, seconded by Board Member Robertson to adjourn the meeting at 3:55 p.m.

CHAIRMAN OF THE BOARD OF DIRECTORS

ATTEST:

SECRETARY TO THE BOARD OF DIRECTORS

**MINUTES OF THE
REGULAR MEETING
OF THE OVERSIGHT BOARD
FOR SUCCESSOR AGENCY TO THE
VICTOR VALLEY ECONOMIC DEVELOPMENT AUTHORITY
July 26, 2012**

The meeting of the Oversight Board for the Successor Agency to the Victor Valley Economic Development Authority was called to order at 3:33 p.m. by Keith Metzler, Chairman to the Oversight Board for the Victor Valley Economic Development Authority, in Conference Room "D," Victorville City Hall, 14343 Civic Drive, Victorville, California.

ROLL CALL

PRESENT: Board Members Johnson, Lamoreaux, Metzler, and O'Toole

ABSENT: Board Members Hoegerman and Robertson

Also present was Jennifer Thompson, Board Secretary, Marc Puckett, VVEDA Treasurer, Sophie Escobar, City of Victorville, Margaret Smith, Oversight Board Member for the Successor Agency to the Victorville Redevelopment Agency and Thurston "Smitty" Smith.

PUBLIC COMMENT

PUBLIC COMMENT ON ITEMS OF INTEREST TO THE PUBLIC

There was no public comment.

BUSINESS ITEMS

APPROVE MINUTES FROM APRIL 12, 2012 INITIAL MEETING

It was moved by Board Member Lamoreaux and seconded by Board Member O'Toole to approve the minutes of April 12, 2012. Motion carries unanimously with Board Members Hoegerman and Robertson absent.

DISCUSSION AGENDA

AB 1484 UPDATE – POWERPOINT PRESENTATION

Sophie Escobar gave the attached PowerPoint presentation as it relates to AB 1484. It was noted that VVEDA does not have real estate assets and therefore the Oversight Board will have very little to handle due to this fact.

Keith Metzler explained the flow of funds from VVEDA to the VVEDA member jurisdictions and how the members utilized those funds. It was noted that the VVEDA member jurisdictions would have to identify on their individual asset lists the items accumulated over time and address those assets and the disposition of them at their local level.

Board Member Johnson wanted to be clear that this does not apply to VVEDA as VVEDA does not have assets.

Board Member O'Toole wanted to know if there was any indication that there would be a reconciliation process between the disbursements from VVEDA to the member jurisdictions and that amount compared to what the member jurisdictions have listed on their individual ROPS.

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Sophie Escobar indicated that she did not know and had not seen any indication that they would like the Oversight Board to do that.

ROPS#1 (JAN-JUNE 2012) UPDATE

Sophie Escobar provided the approved and revised ROPS to the Board, attached. She noted it was reviewed in the previous item and was intended to make sure the Board was aware that because of the Catch-up payments for fiscal year 11-12 that following the previous direction that staff could modify the ROPS according to DOF direction that ROPS#1 was modified and resubmitted and staff was able to get the Department of Finance to review it and make a determination that VVEDA actually had \$19 million and was more reflective of the fact that VVEDA should not receive the demand that other entities received.

Board Member O'Toole asked if the distribution is \$3 million upside down, who gets shorted?

Marc Puckett indicated that based off the distribution methodology no entity was shorted as whatever is received from the County that distribution formula remains the same.

NEXT REGULARLY SCHEDULED MEETING

Chairman Metzler identified that the next regularly scheduled meeting is August 9, 2012 at 3:30.

COMMENTS FROM OVERSIGHT BOARD AND STAFF

Board Member Johnson requested a status on the lawsuit.

Chairman Metzler briefed the Board on the lawsuit that has been filed along with IVDA.

Chairman Metzler discussed a distribution received from the County and the operating budget for VVEDA and the Successor Agency. He also discussed the Grand Jury report and that nothing in the report related to the Oversight Board, but dealt with the governance structure of VVEDA. It was noted that the items addressed in the Grand Jury report had been discussed with the VVEDA members for some time now and that just now, the Grand Jury report is touching on it.

ADJOURNMENT

It was moved by Board Member Lamoreaux to adjourn the meeting at 4:29 p.m.

CHAIRMAN OF THE BOARD OF DIRECTORS

ATTEST:

SECRETARY TO THE BOARD OF DIRECTORS

AB 1484 Overview

Changes to ABx1 26

AB 1484 Overview

- Enacted June 27, 2012
- Major Provisions
 - FY 11-12 Catch-Up Process
 - Housing Assets
 - ROPS
 - LMIHF / Available Funds Audit
 - Notice of Completion
 - Long Range Asset Management Plan
 - Successor Agency and Oversight Board Changes

H&S 34183.5 – FY 11-12 Catch-up Payments

- County Auditor-Controller (ATC) to determine amounts owed to affected taxing entities for FY 11-12
- ATC calculates amounts disbursed to RDA for July 1, 2011 to January 31, 2012, then deducts approved ROPS#1 amount
- July 9, 2012 – ATC to demand payment from SA for residual amounts due to taxing entities
- July 12, 2012- SA to remit payment to ATC
 - Penalties of 10% of amount plus 1.5% each month to SA and Sponsoring Community
- July 18, 2012- Sales & Use tax distribution can be withheld

H&S 34183.5 – FY 11-12 Catch-up Payments

- Victorville RDA
 - All pass-thru payments due for July 2011-Jan 2012 paid
 - Feb 2012 forward – paid by County directly
- | | |
|---------------------|---------------------------------------|
| \$ 5,819,290 | Distributed to RDA July 2011-Jan 2012 |
| <u>\$17,883,544</u> | Approved ROPS#1 |
| \$(12,064,254) | No catch-up payment due |

H&S 34183.5 – FY 11-12 Catch-up Payments

- Victor Valley Economic Development Authority
 - All pass-thru payments due for July 2011-Jan 2012 paid
 - Feb 2012 forward – paid by County directly
- | | |
|----------------------|---|
| \$ 16,651,559 | Distributed to VVEDA July 2011-Jan 2012 |
| \$ <u>19,922,746</u> | Approved ROPS#1 |
| \$(3,271,187) | No catch-up payment due |

H&S 34176(a)2 – Housing Assets

- ABx1 26 vague, AB 1484 defines housing assets and process
- Housing Successor Agency to provide list of all housing assets to be retained by the City to the DOF by August 1, 2012
- List must include an explanation of how the assets meet the criteria defined in the bill
- List must include any assets transferred since February 1, 2012
- The Department of Finance has 30 days to object to any items on the list
- If the DOF objects to an item, the City has 5 business days from the rejection to request a meet and confer with DOF
- If an asset is deemed not to be a housing asset, it must be returned to the Successor Agency
- For approved housing assets, City must create and maintain a separate account named the Low and Moderate Income Housing Asset Fund

H&S 34176(e) – Housing Asset Definition

- “Housing Asset” is defined as the following:
- Any real property, interest in, use restriction, or personal property acquired for low and moderate income housing purposes, with any source of funds
- Any funds encumbered by an enforceable obligation to build or acquire low-moderate income housing
- Any loan or grant receivable, funded from the LMIHF that require occupancy by persons of low or moderate income
- Any rents or operational revenue from low/mod income properties, including residual receipts payments
- Any rents and payments from housing tenants or operators that are used to maintain, operate and enforce affordability or enforceable obligations of low/mod housing
- Repayments of amounts owed to the LMIHF, subject to a repayment schedule approved by the Oversight Board, which cannot start before FY 13-14
- Housing bond proceeds from bonds issued prior to January 1, 2011
- For mixed-use assets, the Oversight Board (with DOF review) is tasked with the disposition of such assets either by keeping the asset intact, separating out the affordable housing portion, or through a revenue sharing agreement with the taxing entities

H&S 34177 – Recognized Obligations Payment Schedules (ROPS)

- OB-approved ROPS#3 due to DOF by Sept 1, 2012
 - Vict RDA: Aug 21 SA Board, Aug 23 OB
 - VVEDA: Aug 15 or Aug 22 SA Board, Aug 23 OB
- SA staff to submit ROPS to County Admin Officer, ATC and DOF when submitted to OB
- For ROPS#4 and later, ROPS submitted at least 90 days before RPTTF distribution (by March 3 for the June 1 dist. /by October 4 for the Jan 2 distr.)
- Sponsoring Community subject to \$10K penalty for each day ROPS submittal delinquent. Additionally, Admin allowance can be reduced by 25% after 10 days late.
- DOF has 45 days to make ROPS determinations
- SA has 5 days after DOF decision to request meet and confer
- Issues must be resolved at least 15 days prior to RPTTF dist.

H&S 34179.5 - LMIHF/Available Cash Audit

- Must be completed by Oct. 1, 2012
- County ATC must approve CPA
- Different from AUP audit currently being conducted (now due Oct 1 also)
- Intended to capture available cash assets to be returned to ATC for distribution to taxing entities, audit includes:
 - Dollar value of assets transferred from RDA to SA upon dissolution (Feb 1, 2012)
 - Transactions between RDA, SA or Sponsoring Community between Jan 1, 2011 and June 30, 2012; or transfers to other public agencies or private entities
 - Reconciliation of June 30, 2012 balances, assets and liabilities of the SA back to RDA FY 09-10 SCO report
 - Separate accounting of the LMIHF
 - If audit finds current balances necessary for enforceable obligations, b/c future revenues or restricted funds insufficient, must identify amounts needed

H&S 34179.5 – LMIHF/Available Cash Audits

- Audit submitted to CAO, ATC and DOF when submitted to OB (by Oct. 1)
- OB must hold public comment session 5 days before approving audit (week of Oct 1)
- OB must approve and transmit audit results by October 15, 2012 (Oct. 11 OB meeting date)
- Nov 9, 2012 – DOF makes final determinations of audit
- SA has 5 days to meet and confer, or 5 days from final determination to transfer LMIFH available balances to ATC for distribution to taxing entities
- Sponsoring Community sales tax and property tax can be offset if funds not returned to ATC/ 10% penalty may apply
- Dec 15, 2012 – non-housing portion to be completed
- Jan 15, 2013 – OB to approve/transmit non-housing audit results

H&S 34191.3 – Notice of Completion

- If the SA remits the available cash to the ATC and makes the true-up payments, the DOF will issue a Finding of Completion
 - Allows SA to retain certain RDA properties, reinstate loans between RDA and Sponsoring Community, and spend unspent bond proceeds (issued before Jan 1, 2011)

H&S 34191.5 – Long Range Asset Management

- Within 6 months of Finding of Completion, SA must submit long-range property management plan for real property of dissolved RDA, for approval of OB and DOF
- Plan to include inventory of property, along with proposed permitted uses:
 - Retention of property for governmental use
 - Retention of property for future development
 - Sale of property
 - Use of property to fulfill an enforceable obligation
- Once approved, the properties placed in a Community Redevelopment Property Trust Fund if

Successor Agency - AB 1484 Changes

- Successor Agency is a separate legal entity, subject to Brown Act
- Authorized to hold bond reserves when required by indenture or when next RPPTF distribution will be insufficient
- Can create new enforceable obligations for wind-down activities (professional services, legal counsel, etc.)
- Can contract with Sponsoring Community to borrow funds for SA shortfalls for admin costs, enforceable obligations, project costs. Must appear on ROPS, so subject to Oversight Board approval
- Annual audit of SA required
- SA Admin costs clarified- list litigation and project specific costs separately on ROPS now, not in admin budget

Oversight Board- AB 1484 Changes (H&S 34179)

- OB composition- Largest district to be determined by ATC
- Former RDA employee rep has no conflict of interest b/c of employment when approving enforceable obligations
- OB may direct SA to provide legal/financial advice independent from SA staff
- OB may contract with county or other public agency for admin support
- OB decisions made on items within OB purview supersede SA and SA staff decisions
- OB protected by public entity/employee immunities

Oversight Board- AB 1484 Changes (H&S 34179)

- OB can reduce admin allowance below the \$250K minimum established in ABx1 26
- OB actions to be adopted via resolution
- OB must notify DOF electronically of all actions taken
- DOF has 5 business days to request review of action, otherwise action is effective (3 days in ABx1 26)
- DOF has 40 calendar days to approve or return reviewed item to OB (10 days in ABx1 26)

• Q&A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE - CONSOLIDATED
FILED FOR THE Jan 2012 to June 2012 PERIOD

Name of Successor Agency Victor Valley Economic Development Authority (VVEDA)

	Current	
	Total Outstanding Debt or Obligation	Total Due During Fiscal Year
Outstanding Debt or Obligation (Includes only the Obligations pursuant to Joint Powers Authority Agreement)	\$ 1,333,053,431.27	\$ 21,580,087.71
	Total Due for Six Month Period	
Outstanding Debt or Obligation	\$ 19,922,746.60	
Available Revenues other than anticipated funding from RPTTF (LMIHF & Bond Proceeds)	\$ -	
Enforceable Obligations paid with RPTTF (Obligations pursuant to Joint Powers Authority Agreement)	\$ 14,646,198.45	
Administrative Cost paid with RPTTF	\$ 732,309.90	
Pass-through Payments paid with RPTTF	\$ 4,544,238.25	
Administrative Allowance (greater of 5% 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)	\$ 732,309.92	

Certification of Oversight Board Chairman:
Pursuant to Section 34177(i) 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.

Keith C. Metzler
Name

Chairman
Title



7/3/2012
Date

Name of Redevelopment Agency: Victor Valley Economic Development Authority (VVEDA)
 Project Area(s): VVEDA Project Area

RECOGNIZED OBLIGATION PAYMENT SCHEDULE - FINAL v.2 updated 7/3/12
 Part B 2b - Section 34177

Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-12**	*** Funding Source	Payable from the Redevelopment Property Tax Trust Fund (RPTTF)						Total
								Jan 2012	Feb 2012	March 2012	April 2012	May 2012	June 2012	
1) Joint Powers Authority Agreement	5/23/2000	Southern California Logistics Airport Authority	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area	757,493,043.74	9,394,255.01	RPTTF			5,207,326.94			1,923,421.24	\$ 7,130,746.18
2) Joint Powers Authority Agreement	5/23/2000	City of Victorville	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area	397,853,015.16	8,447,396.29	RPTTF			4,704,390.09			166,244.68	\$ 4,870,634.77
3) Joint Powers Authority Agreement	5/23/2000	City of Hesperia	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area	17,783,702.89	332,598.88	RPTTF			185,318.12			0.00	\$ 185,318.12
4) Joint Powers Authority Agreement	5/23/2000	County of San Bernardino	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area	40,610,611.85	868,710.89	RPTTF			473,671.70			147,280.76	\$ 620,952.46
5) Joint Powers Authority Agreement	5/23/2000	Town of Apple Valley	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area	194,803,020.14	2,332,241.27	RPTTF			1,299,425.84			444,364.34	\$ 1,743,790.18
6) Joint Powers Authority Agreement	5/23/2000	City of Adelanto	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area	14,730,037.49	206,879.27	RPTTF			94,754.74			0.00	\$ 94,754.74
7)														\$ -
8)														\$ -
9)														\$ -
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29)														\$ -
30)														\$ -
31)														\$ -
32)														\$ -
Totals - This Page (RPTTF Funding)					\$ 1,333,053,431.27	\$ 21,580,087.71	N/A			\$ 11,964,887.43			\$ 2,681,311.02	\$ 14,646,199.45
Totals - Page 2 (Other)							N/A							\$ -
Totals - Page 3 (Administrative Cost Allowance)						\$ 610,258.25	N/A			\$ 122,051.65			\$ 122,051.65	\$ 732,309.90
Totals - Page 4 (Past Due Payments)					\$ 4,544,236.28	\$ 4,544,236.25	N/A			\$ 4,544,236.25			\$ -	\$ 4,544,236.25
Grand total - All Pages					\$ 1,337,597,666.55	\$ 26,734,864.21	N/A			\$ 16,631,177.33			\$ 2,803,362.67	\$ 19,922,746.60

** 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
 LMHF - Low and Moderate Income Housing Fund
 Admin - Successor Agency Administrative Allowance
 Other - reserves, rents, interest earnings, etc

FORM D - Pass-Through Payments

Name of Redevelopment Agency: Victor Valley Economic Development Authority (VVEDA)
 Project Area(s): VVEDA Project Area

OTHER OBLIGATION PAYMENT SCHEDULE - FINAL v.2 updated 7/3/12
 Per AB 28 - Section 34177

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2011-2012**	Source of Fund***	Pass Through and Other Payments ****					Total				
							Jan 2012	Feb 2012	March 2012	April 2012	May 2012		June 2012			
1) Pass Through Obligations	Affected Taxing Entities	Pass through obligations for July 1, 2011 thru January 31, 2012	VVEDA	4,544,235.28	4,544,238.25	RPTTF			4,544,238.25						\$	4,544,238.25
2)															\$	-
3)															\$	-
4)															\$	-
5)															\$	-
6)															\$	-
7)															\$	-
8)															\$	-
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10)															\$	-
11)															\$	-
12)															\$	-
13)															\$	-
14)															\$	-
15)															\$	-
Totals - Other Obligations															\$	4,544,238.25

** 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
 Bonds - Bond proceeds
 Admin - Successor Agency Administrative Allowance
 LMHF - Low and Moderate Income Housing Fund
 **** - 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 34163 (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.

AGENDA ITEM #3

OVERSIGHT BOARD FOR SUCCESSOR AGENCY TO THE
VICTOR VALLEY ECONMIC DEVELOPMENT AUTHORITY
MEETING OF: AUGUST 23, 2012

SUBJECT: Resolution OB-VVEDA-12-005 - Recognized Obligation Payment Schedule (ROPS) and Administrative Budget January 1, 2013 through June 30, 2013

RECOMMENDATION: That Your Honorable Board adopts Resolution OB-VVEDA-12-005 approving the Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for January 1, 2013 through June 30, 2013, and authorizes submittal to the Department of Finance, State Controller, the San Bernardino County Auditor-Controller

FISCAL IMPACT: \$

DISCUSSION: On January 12, 2012, the Victor Valley Economic Development Authority confirmed its designation as Successor Agency to the Victor Valley Economic Development Authority via Resolution 12-002. Among other things, the Successor Agency is responsible for performing contractual obligations of the JPA, and continuing payments required by the JPA.

Before each six-month fiscal period, the Successor Agency must prepare a Recognized Obligation Payment Schedule (ROPS) per Health & Safety Code 34177(l). The purpose of each ROPS is that it will be the basis by which the County Auditor-Controller determines the amount of funds necessary to be passed through to the Successor Agency to satisfy the former RDA's obligations for which tax increment was pledged. Additionally, per H&S Code 24177(j), the Successor Agency must prepare a proposed Administrative Budget with estimated amounts for the upcoming six-month period, including sources of payment, and submit it to the Oversight Board for its approval. The Administrative Budget includes an Administrative Cost Allowance, as defined in H&S Code 34171(b), which is up to 3 percent of the property tax allocated to the successor agency.

Attached for your review is a draft ROPS covering the timeframe from January 1, 2013 through June 30, 2013. Staff is requesting that the Successor Agency and the Oversight Board approve the ROPS. There is no specific requirement that the ROPS be approved by the Successor Agency. However, there is a specific requirement for Oversight Board approval.

This draft ROPS proposed for adoption must be submitted to the Department of Finance, State Controller, County Chief Administrative Officer and County Auditor-Controller simultaneously with submission to the Oversight Board for consideration. Additionally, the ROPS must be posted on the Successor Agency's website. After adoption, the adopted ROPS must be submitted to the same distribution list as the proposed document. This ROPS will become effective January 1, 2013.

Staff remains available for any questions or comments you might have.

Submitted by: Marc Puckett, Victor Valley Economic Development Authority Treasurer

Attachments: Resolution OB-VVEDA-12-005

RESOLUTION NO. OB-VVEDA-12-005

RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE VICTOR VALLEY ECONOMIC DEVELOPMENT AUTHORITY ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 FOR THE PERIOD COMMENCING ON JANUARY 1, 2013 AND ENDING ON JUNE 30, 2013

WHEREAS, pursuant to Health and Safety Code section 34172, the Victor Valley Economic Development Authority is deemed dissolved; and

WHEREAS, pursuant to Resolution No. 12-002, the Board of Commissioners of the Victor Valley Economic Development Authority confirmed that the Victor Valley Economic Development Authority shall serve as the successor agency to the Victor Valley Economic Development Authority (the "Successor Agency"); and

WHEREAS, pursuant to Health and Safety Code section 34177 ("Section 34177"), a successor agency is required to adopt a Recognized Obligation Payment Schedule that lists all of the obligations that are considered enforceable within the meaning of Health and Safety Code Section 34171(d); and

WHEREAS, pursuant to Health and Safety Code section 34177(a)(3), the Successor Agency is prohibited from making a payment unless it is listed on an adopted Recognized Obligation Payment Schedule; and

WHEREAS, pursuant to Health and Safety Code section 34179(a), each Successor Agency shall have an Oversight Board; and

WHEREAS, pursuant to Health and Safety Code section 34177(l)(2)(B), the Recognized Obligation Payment Schedule must be submitted to and duly approved by the Oversight Board

WHEREAS, pursuant to Health and Safety Code section 34177(j), a successor agency is required to prepare a proposed administrative budget and submit it to the Oversight Board for its approval.

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE VICTOR VALLEY ECONOMIC DEVELOPMENT AUTHORITY DOES HEREBY FIND, RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. Recitals

The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Adoption of Recognized Obligation Payment Schedule and Administrative Budget

In accordance with Health and Safety Code Section 34177, and based on the Recitals set forth above, the Oversight Board for the Successor Agency (the "Oversight Board") hereby approves and adopts the Recognized Obligation Payment Schedule and the Administrative Budget attached hereto as Exhibit "A", and incorporated herein by this reference.

Section 3. Implementation

The Oversight Board hereby authorizes and directs the Successor Agency's Executive Director, or his or her designee, to: (1) post the Recognized Obligation Payment Schedule on the Successor Agency and/or the Victor Valley Economic Development Authority website; (2) submit to, by mail or electronic means to the County Chief Administrative Officer, County Auditor-Controller, the Department of Finance, and the State Controller; and (3) to execute and deliver such documents and instruments and to do such things which may be necessary or proper to effectuate the purposes of this Resolution and to implement the Recognized Obligation Payment Schedule and Administrative Budget.

Section 4. CEQA

The Oversight Board, under Title 14 of the California Code of Regulations, Section 15378(b)(4), that this Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") in that it is not a "project," but instead consists of the continuation of a governmental funding mechanism for potential future projects and programs, and does not commit funds to any specific project or program.

Section 5. Effective Date

This Resolution shall take effect five days after its adoption.

Section 6. Certification

The Oversight Board Secretary shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of the Oversight Board; and shall make a minute of passage and adoption thereof in the records of the proceedings of the Oversight Board, in the minutes of the meeting at which this Resolution is passed and adopted.

EXHIBIT "A"

RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET

[SEE ATTACHED]

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Filed for the January 1, 2013 to June 30, 2013 Period

Name of Successor Agency: Successor Agency to Victor Valley Economic Development Authority (VVEDA)

	Total Outstanding Debt or Obligation
Outstanding Debt or Obligation	\$ 1,317,109,123
Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	0
B Enforceable Obligations Funded with RPTTF	14,244,708
C Administrative Allowance Funded with RPTTF	427,341
D Total RPTTF Funded (B + C = D)	14,672,049
Total Current Period Outstanding Debt or Obligation (A + B + C = E) Should be same amount as ROPS form six-month total	\$ 14,672,049
E Enter Total Six-Month Anticipated RPTTF Funding (Obtain from county auditor-controller)	14,672,049
F Variance (E - D = F) Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding	\$ -
Prior Period (January 1, 2012 through June 30, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))	
G Enter Estimated Obligations Funded by RPTTF (Should be the lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)	16,562,679
H Enter Actual Obligations Paid with RPTTF	16,412,679
I Enter Actual Administrative Expenses Paid with RPTTF	72,483
J Adjustment to Redevelopment Obligation Retirement Fund (G - (H + I) = J)	77,517
K Adjustment to RPTTF	\$ 14,594,532.00

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

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)
 January 1, 2013 through June 30, 2013

Item #/Project Name / Debt Obligation	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-13	Funding Source						
								LMHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	Six-Month Total
Grand Total						\$ 1,317,109,123	\$ 23,009,563	\$ -	\$ -	\$ -	\$ 427,341	\$ 14,244,708	\$ -	\$ 14,672,049
1	Joint Powers Authority Agreement	5/23/2000	205-152	Southern California Logistics Airport Authority	Obligation pursuant to Joint Powers Authority Agreement	VEDA Project Area 746,651,505.45	9,859,587.49				142,550.20	6,148,797.38		6,291,348
2	Joint Powers Authority Agreement	5/23/2000	205-152	City of Victorville	Obligation pursuant to Joint Powers Authority Agreement	VEDA Project Area 393,990,108.53	9,148,399.01				132,557.50	5,717,766.76		5,850,324
3	Joint Powers Authority Agreement	5/23/2000	205-152	City of Hesperia	Obligation pursuant to Joint Powers Authority Agreement	VEDA Project Area 17,620,039.20	341,703.57				4,900.50	211,377.71		216,278
4	Joint Powers Authority Agreement	5/23/2000	205-152	County of San Bernardino	Obligation pursuant to Joint Powers Authority Agreement	VEDA Project Area 40,036,800.44	879,449.73				12,844.90	554,054.03		566,899
5	Joint Powers Authority Agreement	5/23/2000	205-152	Town of Apple Valley	Obligation pursuant to Joint Powers Authority Agreement	VEDA Project Area 103,139,689.60	2,376,170.29				33,220.90	1,432,958.22		1,466,179
6	Joint Powers Authority Agreement	5/23/2000	205-152	City of Adelanto	Obligation pursuant to Joint Powers Authority Agreement	VEDA Project Area 7,902,979.80	210,053.16				4,167.30	179,753.84		183,921
7	Salaries & Benefits	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 5,588,000.00	139,700.00				69,850.00			69,850
8	Advertising-Marketing	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 0.00	0.00				0.00			-
9	Insurance	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 660,000.00	16,500.00				8,250.00			8,250
10	Membership & Dues	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 0.00	0.00				0.00			-
11	Miscellaneous Costs	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 0.00	0.00				0.00			-
12	Printing	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 0.00	0.00				0.00			-
13	Audit	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 200,000.00	5,000.00				2,500.00			2,500
14	Contract Services	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 200,000.00	5,000.00				2,500.00			2,500
15	Legal	N/A	When all obligations are retired	Successor Agency	Discontinuation Activities & Services	VEDA Project Area 1,120,000.00	28,000.00				14,000.00			14,000

Name of Successor Agency:
County:

Successor Agency to Victor Valley Economic Development Authority (VVEDA)
San Bernardino

Pursuant to Health and Safety Code section 34186 (a)
PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS I)
January 1, 2012 through June 30, 2012

Page/ Form	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	Reserve Balance		Admin Allowance		RP/TF		Other	
						Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
1	1	Successor Agency Administration Costs	VVEDA	Administration Costs	VVEDA Project Area	\$ -	\$ 678,119	\$ 732,310	\$ 72,483	\$ 19,190,436	\$ 16,412,679	\$ -	\$ -
1	2	Joint Powers Authority Agreement	Southern California Logistics Airport Authority	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area					\$ 7,130,748	\$ 5,223,386		
1	3	Joint Powers Authority Agreement	City of Victorville	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area					\$ 4,870,635	\$ 4,701,178		
1	4	Joint Powers Authority Agreement	City of Hesperia	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area					\$ 185,318	\$ 155,318		
1	5	Joint Powers Authority Agreement	County of San Bernardino	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area					\$ 620,952	\$ 443,672		
1	6	Joint Powers Authority Agreement	Town of Apple Valley	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area					\$ 1,743,790	\$ 1,269,426		
1	7	Joint Powers Authority Agreement	City of Adelanto	Obligation pursuant to Joint Powers Authority Agreement	VVEDA Project Area					\$ 94,755	\$ 64,755		
1	8	Pass Through Obligations	Affected Taxing Entities	Pass through obligations	VVEDA Project Area					\$ 4,544,238	\$ 4,554,944		
1-5	9-106	Please see Notes tab for further explanation											
		Pass Through Obligations & Joint Power Authority Agreement payments for supplemental tax increment revenue received in prior fiscal years.	Affected Taxing Entities & VVEDA Member Jurisdictions	Pass through obligations for Supplemental Revenue received for prior fiscal years	VVEDA Project Area	N/A	678,119						
		See Notes tab											