

OVERSIGHT BOARD FOR SUCCESSOR AGENCY
TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY

AGENDA

City Council Chambers
Montclair Civic Center
5111 Benito Street
Montclair, CA

Special Meeting
Wednesday, August 22, 2012
6:00 p.m.

As a courtesy, please silence your cell phones, pagers, and other electronic devices while the meeting is in session. Thank you.

William Ruh – Chairman, Montclair Mayor Paul Eaton Appointee
Tenice Johnson – Vice Chairperson, County of San Bernardino Citizen Appointee
Terry Catlin – Inland Empire Utilities Agency Appointee
Kim Erickson – Chaffey Community College District Appointee
Janet Kulbeck – City of Montclair Employee Organization Appointee
John Richardson – County of San Bernardino Appointee
Kim Stallings – Ontario–Montclair School District Appointee

Page No.

I. PRELIMINARY MATTERS

- A. Call to Order
- B. Roll Call

II. PUBLIC COMMENT

Any person wishing to address the Oversight Board on any matter, whether or not it appears on this agenda, is requested to complete a "Speaker Request" form, available at the door. The form should be completed and submitted to the Secretary prior to the beginning of this meeting or prior to an individual agenda item being heard by the Oversight Board. Each speaker will be afforded five minutes to address the Oversight Board. No action will be taken on any item not listed on the agenda pursuant to the Ralph M. Brown Act.

III. APPROVAL OF MINUTES

- A. Minutes of the Special Oversight Board Meeting of May 9, 2012
- B. Minutes of the Regular Oversight Board Meeting of June 13, 2012
- C. Minutes of the Special Oversight Board Meeting of July 25, 2012

IV. BUSINESS ITEMS

- A. Consider Receiving and Filing a Report Regarding Former Redevelopment Agency Nonhousing Assets

- B. Consider Adoption of Resolution No. 12-12, a Resolution of the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency Approving a Recognized Obligation Payment Schedule for January 1, 2013, through June 30, 2013, Pursuant to California Health and Safety Code Section 34179, Division 24, Part 1.85, and Authorizing Posting and Transmittal Thereof 6
- C. Consider Adoption of Resolution No. 12-13, a Resolution of the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency Approving the Successor Agency's Proposed Administrative Budget for January 1, 2013, through June 30, 2013, Pursuant to Health and Safety Code Section 34177(j) 11

V. COMMUNICATIONS

- A. Staff
- B. Chairman and Members

VI. ADJOURNMENT

The above actions of the Oversight Board shall not become effective for three business days, pending any request for review by the DOF. If DOF requests review of the above Board actions, it will have ten days from the date of the request to approve the 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 DOF.

The next regularly scheduled Oversight Board meeting will be held on September 12, 2012, at 6:00 p.m. in the City Council Chambers.

Reports, backup materials, and additional materials related to any item on this Agenda distributed to the Successor Agency Board after distribution of the Agenda packet are available for public inspection in the Office of the Secretary located at 5111 Benito Street, Montclair, California, between 7:00 a.m. and 6:00 p.m., Monday through Thursday.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Secretary at (909) 625-9416. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title II)

I, Yvonne L. Smith, Secretary, hereby certify that I posted, or caused to be posted, a copy of this Agenda not less than 72 hours prior to this meeting on the bulletin board adjacent to the south door of Montclair City Hall on August 16, 2012.

AGENDA REPORT

SUBJECT: CONSIDER RECEIVING AND FILING A
REPORT REGARDING FORMER REDEVELOPMENT AGENCY NONHOUSING ASSETS

DATE: August 22, 2012

SECTION: BUSINESS ITEMS

ITEM NO.: A

FILE I.D.: OBO050

DEPT.: OVERSIGHT BOARD

REASON FOR CONSIDERATION: Staff seeks to provide the Oversight Board with information regarding the properties owned by the former Redevelopment Agency. These properties are nonhousing assets that were transferred to the City. As assets of the former Redevelopment Agency, the City has maintained existing use of the sites until disposition of the properties has been determined by existing law and the Oversight Board.

This report is supplied as information for the Oversight Board.

BACKGROUND: The Dissolution Act, ABX1 26, called for the Successor Agency, under direction of the Oversight Board, to dispose of real property it received from the dissolved agency for limited public uses or for disposition into the private market expeditiously and with a view toward maximizing value, with the disposition proceeds ultimately made available for distribution to the affected taxing agencies. However, AB 1484 suspends this process and provides certain flexibility and local benefits in connection with property disposition for a Successor Agency that has received a Department of Finance (DOF) Finding of Completion. Within six months after receipt of a Finding of Completion, the Successor Agency must submit a long-range property management plan for the real property of the dissolved agency for approval by the Oversight Board and DOF. Permitted uses under a property management plan include:

- Retention of the property for government use
- Retention of the property for future development
- Sale of the property
- Use of the property to fulfill an enforceable obligation

It is unclear at this time if a Successor Agency can follow the Dissolution Act path and dispose of property under Oversight Board direction to maximize value received for distribution to the affected taxing agencies or is instead compelled to follow the alternative path set out by AB 1484.

Prepared by: M. STAATS
Proofed by: Gyrene Smith

Reviewed and Approved by: M. STAATS
Presented by: _____

The properties or assets now transferred to the City include the following:

- **4385 Holt Boulevard** – This property is located directly west of the historic Reeder Citrus Ranch and grove house. The property was purchased by the Redevelopment Agency for the purpose of being used for parkland to include an interpretive center to be constructed in cooperation with the George and Hazel Reeder Foundation. The property was purchased with tax-exempt tax allocation bond revenue. Any sale proceeds would have to be used to defease the tax allocation bonds.
- **5326 San Bernardino Street** – This property contains the structure that was used as the first City Hall. The property was the long-time residence of Phil and Martha Hurst. The property was purchased by the Redevelopment Agency as a part of a project which would have revitalized the northeast corner of Central Avenue and San Bernardino Street. The size of the property for its commercial zoning designation makes it generally unusable without the addition of the corner parcel, which is privately owned. The property was purchased with reserve receipts from a former SB 99 Residential Mortgage Revenue Bond issue.
- **9499 Monte Vista Avenue** – Located on the northeast corner of Monte Vista Avenue and Palo Verde Street, this parcel became the home of Freedom Plaza Park. The property was a remnant parcel left over from the land acquired by the Redevelopment Agency for the Monte Vista Avenue eastbound entrance to the I-10 Freeway. Inadequate to support a building, the parcel was developed by the Redevelopment Agency as a passive public park.
- **4690 Palo Verde Street** – This property is located directly east of the Monte Vista Avenue eastbound entrance to the I-10 Freeway. The property was a remnant parcel left over from the land acquired by the Redevelopment Agency for the Monte Vista Avenue eastbound entrance to the I-10 Freeway. The Redevelopment Agency improved the parcel with paving and lighting. It has been leased to Ontario Nissan, Inc., for some time. There are approximately ten years remaining on the lease inclusive of the remaining option term.
- **8752 Monte Vista Avenue** – The Redevelopment Agency purchased this property from San Bernardino Associated Governments (SANBAG) in 1999. SANBAG had received the property in trade from the California Department of Transportation (Caltrans) when the Montclair Transcenter was completed. The southerly portion of the property was used for construction of the Montclair Police facility. The northern portion of the parcel was improved for the Police Department Impound Lot. One third of the site is leased to Ontario Nissan for automobile storage.
- **4985 Richton Street** – This parcel consists of the one-acre property in the center portion of the Montclair Transcenter currently landscaped in grass and containing a child care center building. SANBAG requested the assistance of the Redevelopment Agency in acquiring 20 acres for the multimodal Montclair Transcenter including rail, bus, and park-and-ride services. Nineteen acres of the site was transferred to Caltrans ownership. SANBAG retained ownership of one acre and placed the Redevelopment Agency on the deed as 50 percent owner. The site was purchased with federal funds.

The City currently operates the child care on site and is responsible for maintenance of the one-acre parcel. When the Gold Line is constructed, much of the one-acre parcel would be reconfigured as a platform for the Gold Line station.

- **Southeast Corner of Ramona Avenue and State Street** - This vacant parcel is a remnant from the Ramona Avenue Grade Separation Project and the ring road that had to be constructed. The parcel is slightly larger than two acres. It was purchased with tax-exempt tax allocation bonds. Therefore, any proceeds from sale of the site would be used to defease bonds. Monte Vista Water District has expressed interest in purchasing a small portion of the site to add to its existing water facility.
- **Trailer-4985 Richton Street** - The Redevelopment Agency purchased a mobile office trailer unit for use as a Police Precinct office at the Montclair Transcenter prior to the relocation of the Police facility to its new location on Monte Vista Avenue. The trailer was later used by security guards retained by the City to patrol the Montclair Transcenter. The mobile office trailer is no longer in use.

FISCAL IMPACT: Consideration of the report by the Oversight Board will create no fiscal impact.

RECOMMENDATION: Staff recommends the Oversight Board receive and file a report regarding former Redevelopment Agency nonhousing assets.

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 12-12, A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY 1, 2013, THROUGH JUNE 30, 2013, PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 34179, DIVISION 24, PART 1.85, AND AUTHORIZING POSTING AND TRANSMITTAL THEREOF	DATE: August 22, 2012 SECTION: BUSINESS ITEMS ITEM NO.: B FILE I.D.: OBO050 DEPT.: OVERSIGHT BOARD
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REASON FOR CONSIDERATION: Pursuant to Section 34179 of the Health and Safety Code, the Successor Agency is required to submit its Recognized Obligation Payment Schedule (ROPS) to the Oversight Board for consideration and approval. With the adoption of AB 1484, the State Legislature changed the date for submittal of the ROPS for the period from January 1, 2013, through June 30, 2013, from October 1, 2012, to September 1, 2012. A penalty of \$10,000 per day for each day the ROPS is delinquent has also been added to the Health and Safety Code pursuant to AB 1484.

A copy of proposed Resolution No. 12-12 approving a Recognized Obligation Payment Schedule is attached for the Oversight Board's review and consideration.

BACKGROUND: The California Supreme Court's decision in *California Redevelopment Association, et. al. v. Matosantos* upheld AB X1 26, the Dissolution Act. The Dissolution Act has caused the dissolution of all California redevelopment agencies. On January 12, 2012, the City of Montclair City Council elected to become and serve as the Successor Agency to the City's dissolved redevelopment agency. The City 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 review and approval by the seven-member Oversight Board.

As part of the Dissolution Act as reformed by the Supreme Court, each Successor Agency was to adopt a draft Recognized Obligation Payment Schedule (ROPS) before March 1, 2012. The ROPS, as defined by the Dissolution Act, means the document setting forth the minimum payment amounts and due dates of payments required by enforceable obligations for each six-month fiscal period. As the Oversight Board knows, the initial ROPS was supplied to the County and State on April 15, 2012. The Oversight Board took action to approve the initial ROPS on April 25, 2012. The Oversight Board took action to approve the ROPS for July 1, 2012, through December 31, 2012, on May 9, 2012.

With the date of September 1, 2012, as the deadline for submittal of the ROPS for January 1, 2013, through June 30, 2013, staff is requesting that the Oversight Board consider the ROPS submitted for this period and consider adoption of Resolution No. 12-12.

Prepared by: <u>M. STAATS</u>	Reviewed and Approved by:	<u>M. STAATS</u>
Proofed by: <u>[Signature]</u>	Presented by:	_____

FISCAL IMPACT: Approval of the Recognized Obligation Payment Schedule by the Oversight Board would authorize the repayment of former City of Montclair Redevelopment Agency obligations. Oversight Board approval of the ROPS would also allow the City of Montclair to recover administrative costs related to dissolution activities.

RECOMMENDATION: Staff recommends the Oversight Board adopt Resolution No. 12-12 approving a Recognized Obligation Payment Schedule for January 1, 2013, through June 30, 2013, pursuant to California Health and Safety Code Section 34179, Division 24, Part 1.85, and authorizing posting and transmittal thereof.

RESOLUTION NO. 12-12

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY ADOPTING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY 1, 2013, THROUGH JUNE 30, 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 ROPS for July 1, 2012, through December 31, 2012, must be submitted to the County and State by May 15, 2012; and

WHEREAS, the Oversight Board approved the ROPS for July 1, 2012, through December 31, 2012, on May 9, 2012, 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, 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 for January 1, 2013, through June 30, 2013, from October 1, 2012, to September 1, 2012, and included a \$10,000 per day fine for each day the ROPS is delinquent; and

WHEREAS, the ROPS for the period from January 1, 2013, through June 30, 2013, has been approved by the Successor Agency on August 20, 2012, and is submitted for review to the Oversight Board for consideration; 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 January 1, 2013, through June 30, 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 three (3) 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 XX day of XX, 2012.

Chairman

ATTEST:

Secretary

I, Yvonne L. Smith, Secretary of the Oversight Board of the Successor Agency to the City of Montclair Redevelopment Agency, DO HEREBY CERTIFY that Resolution No. 12-12 was duly adopted by the Oversight Board of Director at a regular meeting thereof held on the XX day of XX 2012, and that it was adopted by the following vote, to-wit:

AYES: XX
NOES: XX
ABSTAIN: XX
ABSENT: XX

Yvonne L. Smith
Secretary

AGENDA REPORT

SUBJECT: CONSIDER ADOPTION OF RESOLUTION NO. 12-13, A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY'S PROPOSED ADMINISTRATIVE BUDGET FOR JANUARY 31, 2013, THROUGH JUNE 30, 2013, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)	DATE: August 22, 2012 SECTION: BUSINESS ITEMS ITEM NO.: C FILE I.D.: OBO050 DEPT.: OVERSIGHT BOARD
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REASON FOR CONSIDERATION: Section 34177(j) of the Health and Safety Code related to dissolution of redevelopment agencies requires that a successor agency "prepare a proposed administrative budget and submit it to the oversight board for its approval." The proposed Successor Agency's Administrative Budget for January 1, 2013, through June 30, 2013, has been prepared for the Oversight Board's review and consideration.

BACKGROUND: The Oversight Board approved an Administrative Budget for the period from February 1, 2012, through June 30, 2012, on April 25, 2012. The Oversight Board approved the Administrative Budget for the period from July 1, 2012, through December 31, 2012, on June 13, 2012. The proposed Administrative Budget for the period from January 1, 2013, through June 30, 2013, is attached to Resolution No. 12-13 that is attached to this report for the Oversight Board's review and consideration.

The Administrative Budget proposes the Successor Agency would receive approximately \$250,000 from the Redevelopment Property Tax Trust Fund for administrative expenses. The Successor Agency anticipates administrative costs will eventually decline in the future. However, at this point in time, staff is still spending time dealing with the "winding down" processes including corresponding with the Department of Finance (DOF) on the Housing Assets List and working with the auditors from the State Controller's Office. Staff anticipates that time will be needed to respond to requests from the auditors retained by the County upon initiation of their audit.

Pursuant to the Health and Safety Code and upon approval of the Oversight Board, the Successor Agency will provide the administrative cost estimates to the County of San Bernardino that are to be paid from property tax trust fund revenues deposited into the Redevelopment Property Tax Trust Fund for the period from January 1, 2013, through June 30, 2013.

FISCAL IMPACT: Approval of the Administrative Budget by the Oversight Board would allow the Successor Agency to be reimbursed for the administrative costs related to dissolution activities.

RECOMMENDATION: Staff recommends the Oversight Board adopt Resolution No. 12-13, a Resolution of the Oversight Board for the Successor Agency to the City of Montclair Redevelopment Agency approving the Successor Agency's proposed Administrative Budget for January 1, 2013, through June 30, 2013, pursuant to Health and Safety Code Section 34177(j).

Prepared by: <u>M. STAATS</u>	Reviewed and	Approved by: <u>M. STAATS</u>
Proofed by: <u>Gyenne L Smith</u>	Presented by:	_____

RESOLUTION NO. 12-13

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE CITY OF MONTCLAIR REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY'S PROPOSED ADMINISTRATIVE BUDGET FOR JANUARY 1, 2013, THROUGH JUNE 30, 2013, PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)

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 of the Dissolution Act provides that the Successor Agency shall have an Oversight Board composed of seven members; 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, the State Legislature passed and the Governor signed AB 1484 into State law on June 29, 2012; and

WHEREAS, AB 1484 establishes a schedule for adoption of the Recognized Obligation Payment Schedule by September 1, 2012; and

WHEREAS, pursuant to Section 34177(j), the Successor Agency's "Administrative Budget" is to include all of the following: (a) estimated amounts of the Successor Agency's administrative costs for the upcoming six-month fiscal period; (b) the proposed sources of payment for the costs identified in (a); and (c) proposals for arrangements for administrative and operations services provided by the city serving as Successor Agency; and

WHEREAS, the Successor Agency's proposed Administrative Budget has been submitted to the Oversight Board for its review and approval; and

WHEREAS, the Administrative Budget, as approved by the Oversight Board, will be provided to the County of San Bernardino Auditor-Controller pursuant to Section 34177(j) so that the Successor Agency's estimated administrative costs in the approved Administrative Budget will be paid from property tax revenues deposited into the Redevelopment Property Tax Trust Fund for the six-month period from January 1, 2013, through June 30, 2012; and

WHEREAS, the Oversight Board desires to approve the Successor Agency's proposed Administrative Budget; 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 DOF; and if DOF requests review hereof, DOF will have 45 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 DOF.

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

Section 1. The foregoing recitals are incorporated into this Resolution by reference and constitute a material part of this Resolution.

Section 2. Pursuant to the Dissolution Act, the Oversight Board approves the Successor Agency's proposed Administrative Budget, attached hereto as Attachment No. 1 and incorporated by this reference.

Section 3. The Oversight Board authorizes the Successor Agency to transmit the Administrative Budget and Cost Reimbursement Agreement, when/if approved and entered into between the City and the Successor Agency, to the County Auditor-Controller, the State Department of Finance ("DOF"), and the State Controller's Office.

Section 4. This Resolution shall become effective after transmittal of this Resolution with the ROPS attached to DOF and the expiration of five (5) business days pending a request for the review by DOF within the time periods set forth in the

Dissolution Act; in this regard, if DOF requests review hereof, it will have 45 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 5. The Secretary of the Oversight Board shall certify to the adoption of this Resolution

APPROVED AND ADOPTED this XX day of XX, 2012.

Chairman

ATTEST:

Secretary

I, Yvonne L. Smith, Secretary of the Oversight Board to the Successor Agency of the City of Montclair Redevelopment Agency, DO HEREBY CERTIFY that Resolution No. 12-13 was duly adopted by the Oversight Board at a regular meeting thereof held on the XX day of XX, 2012, and that it was adopted by the following vote, to-wit:

AYES: XX
NOES: XX
ABSTAIN: XX
ABSENT: XX

Yvonne L. Smith
Secretary

**Successor Agency for the Redevelopment Agency of the City of Montclair
Administrative Budget
January 1 to June 30, 2013**

Approved by Oversight Board on _____

Estimated Funding:

Staff Costs	% of Staff Time	
City Manager	30%	\$ 22,952.50
SRDA/Public Works Director	50%	\$ 30,923.07
Finance Director	25%	\$ 20,876.63
Senior Accountant	45%	\$ 20,510.55
Junior Accountant	40%	\$ 14,170.40
Office Specialist	12.5%	\$ 3,148.13
Deputy City Clerk	12.5%	\$ 2,538.93
IT Supervisor	5%	\$ 2,792.53
Sub-Total		\$ 117,912.72
Administrative Costs		
Utilities (Electric, Water, Gas, Telephone)		\$ 15,963.00
Retiree Pension Costs		\$ 17,240.52
Office Supplies/Postage		\$ 200.00
First Tennessee Bank Safekeeping		\$ 700.00
Sub-Total		\$ 34,103.52
Insurance Costs		
Public Employee Bond		\$ 87.00
General Liability		\$ 3,630.00
Fire Insurance		\$ 876.00
Earthquake		\$ 4,626.00
Sub-Total		\$ 9,219.00
Legal and Consultant Costs		
Robbins & Holdaway		\$ 2,000.00
Stradling, Yocca, Carlson, & Rauth		\$ 30,000.00
Sub-Total		\$ 32,000.00
TOTAL		\$ 193,235.24

Successor Agency Contact Information

Name of Successor Agency: City of Montclair Successor Agency for the City of Montclair Redevelopment Agency
County: San Bernardino

Primary Contact Name: Donald L. Parker, CPA
Finance Director
Primary Contact Title: City of Montclair, 5111 Benito Street
Montclair, CA 91763

Address
Contact Phone Number: 909-625-9418
Contact E-Mail Address: dparker@cityofmontclair.org

Secondary Contact Name: Marilyn Staats
Deputy City Manager/
Secondary Contact Title: Exec. Dir. Econ. Dev.
Secondary Contact Phone Number: 909-625-9412
Secondary Contact E-Mail Address: mstaats@cityofmontclair.org

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the January 1, 2013 to June 30, 2013 Period

Name of Successor Agency: City of Montclair Successor Agency for the City of Montclair Redevelopment Agency

	Total Outstanding Debt or Obligation
Outstanding Debt or Obligation	\$ 86,989,026
Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	2,430,210
B Anticipated Enforceable Obligations Funded with RPTTF	-
C Anticipated Administrative Allowance Funded with RPTTF	193,235
D Total RPTTF Requested (B + C = D)	193,235
Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be the same amount as ROPS form six-month total</i>	\$ 2,623,445
E Enter Total Six-Month Anticipated RPTTF Funding <i>(Obtain from county auditor-controller)</i>	2,489,940
F Variance (E - D = F) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	\$ 2,296,705
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 <i>(Should be the lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)</i>	7,151,403
H Enter Actual Obligations Paid with RPTTF	7,636,995
I Enter Actual Administrative Expenses Paid with RPTTF	-
J Adjustment to Redevelopment Obligation Retirement Fund (G - (H + I) = J)	-
K Adjusted RPTTF <i>(The total RPTTF requested shall be adjusted if actual obligations paid with RPTTF are less than the estimated obligation amount.)</i>	\$ 193,235

(Note 1)

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	Chairperson
_____ Name	_____ Title
_____ Signature	_____ Date

Name of Successor Agency:

City of Montclair Successor Agency for the City of Montclair Redevelopment Agency

County:

San Bernardino

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

Item #	Notes/Comments
	ROPS III Notes
1)	Summary Item G. - Obligations Funded by RPTTF - This amount represents total tax increment revenue recognized by redevelopment agency through January 31, 2012.
2)	ROPS Item #21 - The contractual obligation was approved by the governing board on 6/20/11; however, the documentation was dated in July 2011. It is established legal practice that the date of approval is when the obligation is created.
	Our legal counsel has so opined and this obligation should be honored.
	Prior Period Payments Notes - Payments shown are for the period 1/1/12 through 6/30/12. Reserve utilizations come from monies on hand when agency terminated.
3)	We are unable to precisely identify the individual items which are part of the DOF approved total for this ROPS contained on Exhibit 12 present on the DOF website. We have never been provided a reconciliation between the submitted ROPS and that
	amount. Therefore, we have displayed all items that were listed on the ROPS submitted to DOF.
4)	The Successor Agency has received no administrative cost reimbursement from the RPTTF. Since all tax increment was pledged to bonds until the current bond year obligation could be satisfied, administrative costs have been paid from reserves on hand.
5)	Accounting procedures employed for the former redevelopment agency have continued for the Successor Agency. Under those approaches project type costs were coded to the redevelopment operation and not segregated between administrative
	claims and RPTTF claims as indicated on this form. Therefore, we have combined those lines for presentation purposes here as all payments were made from reserves and to break out these now, while possible, is an unreasonable administrative burden
	to accomplish after the fact.
6)	The required set-aside for Low and Moderate Income Housing has been shown as a disbursement as the redevelopment agency was in existence up to 2/1/12 and amounts received for tax increment under the requirement of the Health and Safety Code
	to that point in time required a set-aside to the Low and Moderate Housing Fund. This utilization was not present on the ROPS submitted as that ROPS covered utilizations from 2/1/12 through 6/30/12 generally and the prior set-aside obligations were
	to be paid from RPTTF allocations.
7)	Amounts deducted by the County of San Bernardino for collection charges and its pass throughs have been shown as a disbursement. These disbursements reduced the amount of tax increment that was available for payment of enforceable obligations.
	The County took over the responsibility for payment of pass through for the period 2/1/12 through current. Pass through payments to the other taxing entities were made by the Successor Agency for the period through 1/31/12 in July 2012 and these
	are not included on this form.

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	LMIHF		Bond Proceeds		Reserve Balance		Admin Allowance		RPTTF		Other	
						Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
Grand Total						\$ 1,328,547	\$ 143,812	\$ -	\$ 2,277,940	\$ -	\$ 2,160,412	\$ 584,739	\$ -	\$ 12,241,934	\$ 7,636,995	\$ -	\$ -
RPTTF	1)	1997 Taxable Tax Allocation Bonds	Bank of New York Mellon	Bond issue to fund non-housing projects	Project Area 1									32,640.00	8,820.00		
RPTTF	2)	2007A Tax Allocation Refunding Bonds	Bank of New York Mellon	Bond issue to fund non-housing projects	Project Area 3									1,584,787.51	544,893.75		
RPTTF	3)	2007B Taxable Tax Allocation Bonds	Bank of New York Mellon	Bond issue to fund non-housing projects	Project Area 3									304,283.50	89,641.75		
RPTTF	4)	2004 Tax Allocation Bonds	Bank of New York Mellon	Bond issue to fund non-housing projects	Project Area 4									367,975.00	113,987.50		
RPTTF	5)	2001 Tax Allocation Bonds	Bank of New York Mellon	Bond issue to fund non-housing projects	Project Area 5									765,960.00	235,480.00		
RPTTF	6)	2006A Tax Allocation Bonds	Bank of New York Mellon	Bond issue to fund non-housing projects	Project Area 5									567,969.50	198,984.75		
RPTTF	7)	2006B Tax Allocation Bonds	Bank of New York Mellon	Bond issue to fund non-housing projects	Project Area 5									155,800.00	77,900.00		
RPTTF	8)	2008 Tax Allocation Notes	Bank of New York Mellon	Mission Blvd-Notes issue to fund non-housing projects	Project Area 6				2,277,939.72		1,569,777.41			7,995,000.00	4,147,282.87		
	Note 6	Low & Moderate Housing Set-Aside	Low & Moderate Housing Funds	Required set-aside on pre 2/1 tax increment	All Areas									N/A	1,430,280.54		
	Note 7	Pass Through Obligations	Various Taxing Entities	Required payments made on pre 2/1 for pass throughs	All Areas									N/A	789,723.63		
RPTTF	9)	ADMIN Employee Costs	Employess of Agency	Project Management Costs	All Areas						382,869.81	242,969.58		170,086.64	Note 4 & Note 5		
RPTTF	10)	Advertising for Bond costs	Source Media	Publication of Bond Call Notice	All Areas									4,500.00	Note 4		
RPTTF	11)	Utility Costs	Southern California Edison Co	Temporary utility costs for properties	Project Area 3						183.28			1,152.00	Note 4		
RPTTF	12)	Contract for Professional Service	Southern California Landscape	Temporary Foundation 11 landscape maintenance services	Project Area 3						20,140.22			18,000.00	Note 4		
RPTTF	13)	Contract for Professional Service	Southern California Landscape	Foundation Area 11 required repairs/replacement	Project Area 3									20,000.00	Note 4		
RPTTF	14)	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Agency legal services	All Areas						11,142.48			62,100.00	Note 4		
RPTTF	15)	Comm. Rehab. Loan Agreement	Jana Maria Campbell & Dennis Siletto	Commercial Rehabilitation Loan	Project Area 4						1,836.00			15,000.00	Note 4		
RPTTF	16)	Contract for Construction	Earth Tek Engineering Corp	Alma Hofman Park Improvement Project	Project Area 1									12,839.20	Note 4		
RPTTF	17)	Monument Sign Repairs	Sign A Rama	Foundation Area 11 required repairs	Project Area 3									2,000.00	Note 4		
RPTTF	18)	Maintenance Contract	Landmark Fence	Foundation Area 11 and 12 required repairs	Project Area 3									10,000.00	Note 4		
RPTTF	19)	Title Report Costs	Chicago Title	Title Report RE: FA 11	Project Area 3						600.00			600.00	Note 4		
RPTTF	20)	Contract for Bond Trustee Service	Bank of New York Mellon	Annual bond trustee fees/costs	All Areas						2,830.20			9,650.00	Note 4		
RPTTF	21)	Contract for Legal Services	Best Best & Krieger LLP	Agency legal services	Project Area 3						47,454.19			70,626.00	Note 4		
RPTTF	22)	Contract for Bond Services	Bondlogistix LLC	Bond Continuing Disclosure services	All Areas						18,000.00			13,500.00	Note 4		
RPTTF	23)	Contract for Bond Services	Bondlogistix LLC	Bond Arbitrage Rebate Calculation services	All Areas									10,500.00	Note 4		
RPTTF	24)	Contract for consulting services	Governments	Cost to participate in Compass 2 percent Strategy Program	Project Area 3									6,800.00	Note 4		
RPTTF	25)	Agency Subscription costs	Montclair Chamber of Commerce	CoStar Subscription	All Areas						5,588.80			2,059.20	Note 4		
RPTTF	26)	Economic development costs	Montclair Chamber of Commerce	Economic Development and Business retention service	All Areas									7,059.20	Note 4		
RPTTF	27)	Rent of Office Space	Montclair Town Center LLC	Office rent	Proj Area 1, 3, 4, 5						12,802.80			12,802.80	Note 4		
RPTTF	28)	Utility costs	Monte Vista Water District	Temporary water services	Project Area 3						3,247.71			6,382.50	Note 4		
RPTTF	29)	ADMIN Contract for Professional Service	Donald Parker, CPA	Financial Oversight Services	All Areas						6,056.25	20,000.00		5,000.00	Note 4 & Note 5		
RPTTF	30)	Graffiti Abatement Costs	City of Montclair	Removal of graffiti in RDA areas	All Areas									3,761.05	Note 4		
RPTTF	31)	Office Supplies	Staples/Office Depot	Office supplies	All Areas									600.00	Note 4		
RPTTF	32)	Contract for Legal Services	Robbins and Holdaway	Legal Services	All Areas						1,213.27			2,500.00	Note 4		
LMIHF	1)	Rehabilitation Loan Agreements	Montclair Housing Corporation	Rehabilitation loan for replacement housing obligation/other	All Areas	1,000,000.00											
LMIHF	2)	Housing Improvement Costs	Neighborhood Partership Housing	Safe Homes for Seniors costs	All Areas	16,000.00	5,400.00										
LMIHF	3)	Housing Improvement Loans	Neighborhood Partership Housing	Single family housing rehabilitation loans	All Areas	180,000.00											
LMIHF	4)	Homebuyers Assist. Program Agmt.	US Bank	Shared Appreciation costs on Homebuyer Assistance Program	Project Area 4 & 5	2,000.00											
LMIHF	5)	Homebuyers Assist. Program Agmt.	US Bank	Homebuyer Assistance program servicing fees	Project Area 4 & 5	304.00	35.89										
LMIHF	6)	Contract for Professional Service	Landscape Maintenance Unlimited	Asset Maintenance	Project Area 5	1,998.00					600.00						
LMIHF	7)	Employee Costs	Employees of Agency	Affordability Monitoring & Project Mgmt Costs	All Areas	68,245.26	137,536.79										
LMIHF	8)	Contract Legal Services	Stradling, Yocca, Carlson & Rauth	Legal Services	All Areas	24,000.00	839.35										
LMIHF	9)	Office Supplies	Staples/Office Depot	Office Supplies	All Areas	200.00											
LMIHF	10)	Housing Improvement Costs	Neighborhood Partership Housing	Service fees for Senior grants	All Areas	3,300.00											
LMIHF	11)	Housing Improvement costs	Neighborhood Partership Housing	Service fees for Rehab loans	All Areas	30,000.00											
LMIHF	12)	Contract Legal Services	Robbins and Holdaway	Legal Services	All Areas	1,000.00											
LMIHF	13)	Maintenance Contract	Buchbinder Maintenance Inc.	Vandalism Repairs	Project Area 5	1,500.00					798.71						
ADMIN	2)	Contract for Legal Services	Robbins & Holdaway	Legal services	All Areas								10,002.00				
ADMIN	3)	Agency vocational training costs	California Redevelopment Associaton	Training on Administration of Successor Agency	All Areas								1,000.00				
ADMIN	4)	Agency Insurance Costs	Kessler-Alair Insurance Services	Public Employee's Bond	All Areas								87.00				
ADMIN	5)	Agency Delivery Service	Federal Express Corp	Delivery Service	All Areas								250.02				
ADMIN	6)	Contract for Professional Service	Teaman, Ramirez and Smith, Inc.	Audit and compliance services	All Areas								15,500.00				
ADMIN	7)	Contract for Professional Service	Hdl Coren & Cone	Pass Through Calculations	All Areas						9,743.88		10,000.00				
ADMIN	8)	Overhead Costs	City of Montclair	Overhead Costs	All Areas						26,698.11		15,963.00				
ADMIN	10)	Contract for Legal Services	Stradling, Yocca, Carlson & Rauth	Legal services	All Areas						224.00		60,000.00				