

AGENDA

**TEHACHAPI REDEVELOPMENT SUCCESSOR AGENCY
OVERSIGHT COMMITTEE SPECIAL MEETING
TEHACHAPI CITY HALL
115 SOUTH ROBINSON STREET
Tuesday, February 26, 2013 - 9:00 A.M.**

Persons desiring disability-related accommodations should contact the City Clerk no later than ten days prior to the need for the accommodation. A copy of any writing that is a public record relating to an open session of this meeting is available at City Hall, 115 South Robinson Street, Tehachapi, California.

CALL TO ORDER

ROLL CALL

PLEDGE TO FLAG

BUSINESS

1. Minutes for the Tehachapi Redevelopment Successor Agency Oversight Committee Special meeting on February 14, 2013 - **APPROVE AND FILE**
2. Approval of administrative budget for July 1, 2013 through December 31, 2013 - **ADOPT A RESOLUTION APPROVING A PROPOSED ADMINISTRATIVE BUDGET FOR THE SIX-MONTH FISCAL PERIOD FROM JULY 1, 2013 THROUGH DECEMBER 31, 2013, AND TAKING CERTAIN OTHER RELATED ACTIONS**
3. Approval of ROPS for July 1, 2013 through December 31, 2013 - **ADOPT A RESOLUTION APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE SIX-MONTH FISCAL PERIOD FROM JULY 1, 2013 THROUGH DECEMBER 31, 2013 AND TAKING CERTAIN RELATED ACTIONS**

COMMITTEE MEMBER ANNOUNCEMENTS OR REPORTS

On their own initiative, a Committee Member may ask a question for clarification, make a brief announcement, provide a reference to staff or other resources for factual information, take action to have staff place a matter of business on a future agenda, request staff to report back at a subsequent meeting concerning any matter, or make a brief report on his or her own activities. (Per Gov't. Code §54954.2(a))

ADJOURNMENT

MINUTES

TEHACHAPI REDEVELOPMENT SUCCESSOR AGENCY OVERSIGHT COMMITTEE SPECIAL MEETING

City Hall
115 South Robinson Street
Thursday, February 14, 2013 – 9:00 A.M.

NOTE: Nu, Gr, Va, Le, Ca, Ga & Ha are abbreviations for Board Members Nunneley, Grimes, Vasquez, Lebsock, Caudle, Garrett and Hall respectively. For example, Nu/Gr denotes Board Member Nunnely made the motion and Board Member Grimes seconded it. The abbreviation Ab means absent, Abd abstained, Ns noes, and NAT no action taken.

ACTION TAKEN

CALL TO ORDER

Meeting called to order by Board Member Caudle at 9:25 a.m.

PLEDGE TO THE FLAG

Led by John Martin

ROLL CALL

Present: Board Members Garrett, Caudle, Vasquez and Hall

Absent: Chairman Grimes, Vice-Chairman Nunneley, Board Member Lebsock

BUSINESS

1. Minutes for the Tehachapi Redevelopment Successor Agency Oversight Committee regular meeting on February 6, 2013 - **APPROVED AND FILED**

Approved & Filed
Ha/Ga Motion Carried
Ab: Gr, Nu, & Le

2. Approval of transmittal of the DDR – other funds and adopt a resolution – **ADOPTED RESOLUTION NO. 02-13, (I) APPROVING THE DUE DILIGENCE REVIEW FOR FUND AND ACCOUNT BALANCES OF THE FORMER TEHACHAPI REDEVELOPMENT AGENCY (THE “OTHER FUNDS DDR”) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179.5, AS PRESENTED, (II) AUTHORIZING THE SUCCESSOR AGENCY TO RETAIN THE ASSETS AND FUNDS, IF ANY, IDENTIFIED IN SUBPARAGRAPHS (B) TO (E), INCLUSIVE, OF PARAGRAPH (5) OF SUBDIVISION(C) OF SECTION 34179.5, AS DOCUMENTED IN THE OTHER FUNDS DDR (THE “RESTRICTED ASSETS”), AND (III) ORDERING THE TRANSMITTAL OF THE OTHER FUNDS DDR TO THE DEPARTMENT OF FINANCE AND THE COUNTY AUDITOR-CONTROLLER**

Adopted Res. No. 02-13, (I) Approving The DDR For Fund & Account Balances Of The Former Tehachapi Redevelopment Agency (The “Other Funds DDR”) Pursuant To Health & Safety Code Section 34179.5, As Presented, (II) Authorizing The Successor Agency To Retain The Assets & Funds, If Any, Identified In Subparagraphs (B) To (E), Inclusive, Of Paragraph (5) Of Subdivision(C) Of Section 34179.5, As Documented In The Other Funds DDR (The “Restricted Assets”), & (III) Ordering The Transmittal Of The Other Funds DDR To The Department Of Finance & The County Auditor-Controller
Va/Ga Motion Carried
Ab: Gr, Nu, & Le

ACTION TAKEN

3. Approval of Cooperative agreement – **ADOPTED RESOLUTION NO. 03-13 APPROVING THE EXECUTION OF A COOPERATIVE AGREEMENT FOR ADVANCE AND REIMBURSEMENT OF ADMINISTRATIVE, OVERHEAD AND OTHER EXPENSES BY AND BETWEEN THE SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY AND THE CITY OF TEHACHAPI; AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH**

Adopted Res. No. 03-13
Approving The Execution Of
A Cooperative Agreement
For Advance &
Reimbursement Of
Administrative, Overhead &
Other Expenses By &
Between The Successor
Agency To The Tehachapi
Redevelopment Agency &
The City Of Tehachapi; &
Taking Certain Actions In
Connection Therewith
Ha/Va Motion Carried
Ab: Gr, Nu, & Le

ADJOURNMENT

The Committee adjourned at 10:05 a.m. to a Tehachapi Redevelopment Successor Agency Oversight Committee special meeting to be held on February 26, 2013.

DENISE JONES, CMC
Secretary, Tehachapi Redevelopment
Successor Agency Oversight
Committee

Approved this 26th day
Of February, 2013.

ED GRIMES
Chairman, Tehachapi Redevelopment
Successor Agency Oversight
Committee



BOARD REPORTS

APPROVED

DEPARTMENT HEAD: _____

CITY MANAGER: _____

MEETING DATE: FEBRUARY 26, 2013

TO: BOARD OF DIRECTORS OF THE OVERSIGHT COMMITTEE OF THE SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY

FROM: HANNAH CHUNG, FINANCE DIRECTOR

DATE: FEBRUARY 21, 2013

SUBJECT: APPROVAL OF ADMINISTRATIVE BUDGET FOR JULY 1, 2013 THROUGH DECEMBER 31, 2013

BACKGROUND: Pursuant to Part 1.85 of Division 24 of the California Health and Safety Code (the "Redevelopment Dissolution Law"), the Successor Agency must prepare a proposed administrative budget and a Recognized Obligation Payment Schedule ("ROPS") for each six-month fiscal period, both of which must be submitted to the Oversight Board for approval. Each proposed administrative budget must include all of the following: (1) estimated amounts for Successor Agency administrative costs for the applicable six-month fiscal period; (2) proposed sources of payment for the administrative costs; and (3) proposals for arrangements for administrative and operations services provided by the City or other entity.

The Redevelopment Dissolution Law is unclear regarding the required timing for the submission of the proposed administrative budget for the period from July 1, 2013 through December 31, 2013 (*i.e.*, the first half of fiscal year 2013-14) ("Administrative Budget 13-14A") to the Oversight Board. However, because the Successor's Agency's administrative expenditures also have to be reflected on the ROPS, Administrative Budget 13-14A and the ROPS for the same period ("ROPS 13-14A") should be consistent.

The Successor Agency is required to submit ROPS 13-14A to the Oversight Board for approval and then submit the Oversight Board-approved ROPS 13-14A to the State Department of Finance, State Controller and the County Auditor-Controller no later than March 1, 2013. Staff has prepared a ROPS 13-14A for the Oversight Board's approval at this meeting as a separate agenda item. Staff recommends that the Board approve Administrative Budget 13-14A on the same date as the Board's approval of ROPS 13-14A.

The Oversight Board must take action by resolution and must provide DOF, by electronic means, written notice and information about the Oversight Board's action.

FISCAL IMPACT: Under the Redevelopment Dissolution Law, an "Administrative Cost Allowance" is paid to the Successor Agency from property tax revenues allocated by the County Auditor-Controller. The Administrative Cost Allowance is defined as an amount, subject to the approval of the Oversight Board, which is up to 3% of the property tax allocated for enforceable obligations from the Redevelopment Property Tax Trust Fund by the County Auditor-Controller. The amount shall not be less than \$250,000 for any fiscal year unless the Oversight Board reduces this amount. The

Administrative Cost Allowance is subject to reduction if there are insufficient funds to pay the enforceable obligations as listed on the ROPS.

ENVIRONMENTAL IMPACT: There will be no new environmental impact associated with adoption of the attached Resolution.

RECOMMENDATION: Staff recommends that the Oversight Board for the Successor Agency to the Tehachapi Redevelopment Agency adopt a resolution approving a proposed administrative budget for the six-month fiscal period from July 1, 2013 through December 31, 2013, and taking certain other related actions.

RESOLUTION NO. OB _____

A RESOLUTION OF THE OVERSIGHT BOARD OF DIRECTORS FOR THE SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY APPROVING A PROPOSED ADMINISTRATIVE BUDGET FOR THE SIX-MONTH FISCAL PERIOD FROM JULY 1, 2013 THROUGH DECEMBER 31, 2013 AND TAKING CERTAIN RELATED ACTIONS

RECITALS:

A. Pursuant to Health and Safety Code Section 34177(j), the Successor Agency to the Tehachapi Redevelopment Agency (the "Successor Agency") must prepare a proposed administrative budget for each six-month fiscal period (commencing each January 1 and July 1) and submit each proposed administrative budget to the Oversight Board for the Successor Agency (the "Oversight Board") for approval.

B. There has been presented to this Board for approval a proposed administrative budget for the Successor Agency for the six-month fiscal period from July 1, 2013 through December 31, 2013 ("Administrative Budget 13-14A").

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE TEHACHAPI 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. The Oversight Board hereby approves the proposed Administrative Budget 13-14A substantially in the form attached hereto as Exhibit A.

Section 3. The staff of the Successor Agency is hereby directed to provide the State Department of Finance ("DOF") written notice and information regarding the action taken by the Oversight Board in Section 2 of this Resolution. Such notice and information shall be provided by electronic means and in a manner of DOF's choosing.

Section 4. The officers of the Oversight Board and 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, APPROVED AND ADOPTED this 26th day of February, 2013.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Ed Grimes, Chairman
Oversight Board for the Successor Agency to the
Tehachapi Redevelopment Agency

ATTEST:

DENISE JONES, CMC
Secretary
Oversight Board for the Successor Agency to the
Tehachapi Redevelopment Agency

I hereby certify that the foregoing resolution was duly and regularly adopted by the OVERSIGHT BOARD OF THE SUCCESSOR AGENCY at a special meeting thereof held on February 26, 2013.

DENISE JONES, CMC
Secretary
Oversight Board for the Successor Agency to the
Tehachapi Redevelopment Agency

EXHIBIT A

**SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY
ADMINISTRATIVE BUDGET**

(July 1, 2013 through December 31, 2013)



BOARD REPORTS

APPROVED

DEPARTMENT HEAD: _____

CITY MANAGER: _____

MEETING DATE: FEBRUARY 26, 2013

TO: BOARD OF DIRECTORS OF THE OVERSIGHT COMMITTEE OF THE SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY

FROM: HANNAH CHUNG, FINANCE DIRECTOR

DATE: FEBRUARY 21, 2013

SUBJECT: APPROVAL OF ROPS FOR JULY 1, 2013 THROUGH DECEMBER 31, 2013

BACKGROUND: Pursuant to Part 1.85 of Division 24 of the California Health and Safety Code (the "Redevelopment Dissolution Law"), the Successor Agency must prepare a Recognized Obligation Payment Schedule ("ROPS") for each six-month fiscal period (commencing each January 1 and July 1), listing the payments to be made by the Successor Agency during such period. All ROPS must be approved by the Oversight Board. Furthermore, each Oversight Board-approved ROPS must be submitted to the State Department of Finance ("DOF") for review.

Deadlines for ROPS Submission and Review

The Redevelopment Dissolution Law does not specify a deadline for the Successor Agency to submit the ROPS for July 1, 2013 through December 1, 2013 ("ROPS 13-14A") to the Oversight Board for approval. However, the Successor Agency must submit an Oversight Board-approved ROPS 13-14A to the DOF, the Office of the State Controller and the County Auditor-Controller no later than **March 1, 2013**. The Successor Agency must submit the ROPS to the DOF electronically in the manner of DOF's choosing. A copy of the Oversight Board-approved ROPS must be posted on the Successor Agency's website.

The DOF may eliminate or modify any items on the ROPS before approving the ROPS. The DOF must make its determination regarding the enforceable obligations and the amount and funding source for each enforceable obligation listed on a ROPS no later than 45 days after the ROPS is submitted. Within five business days of the DOF's determination, the Successor Agency may request to "meet and confer" with the DOF on disputed items. The meet and confer period may vary, but an untimely submission of ROPS 13-14A may result in a meet and confer period of less than 30 days.

The County Auditor-Controller may object to the inclusion of any item on the ROPS that is not demonstrated to be an enforceable obligation and may object to the funding source proposed for any item. The County Auditor-Controller must provide notice of its objections to the DOF, the Successor Agency and the Oversight Board by April 2, 2013.

Penalties for Failure to Make Timely Submission

If the Successor Agency does not submit an Oversight Board-approved ROPS by March 1, 2013, the City of Tehachapi will be subject to a civil penalty of \$10,000 per day for every day that the ROPS is not submitted to the DOF. The penalty is to be paid to the County Auditor-Controller for distribution to the taxing entities. If the Successor Agency does not timely submit a ROPS, creditors of the successor agency, the DOF, and affected taxing entities may request a writ of mandate to require the Successor Agency to immediately perform this duty. Additionally, if the Successor Agency does not submit a ROPS within 10 days of March 1st, the Successor Agency's administrative cost allowance for that period will be reduced by 25 percent.

If the Successor Agency fails to submit an Oversight Board-approved ROPS to the DOF within five business days of "the date upon which the ROPS is to be used to determine the amount of property tax allocations", the DOF may determine whether the County Auditor-Controller should distribute any of property tax revenues to the taxing entities, or whether any amount should be withheld for enforceable obligations pending approval of the ROPS. It is not clear what is "the date upon which the ROPS is to be used to determine the amount of property tax allocations."

FISCAL IMPACT: The preparation and submittal of ROPS 13-14A is for the purpose of allowing the Successor Agency to pay its enforceable obligations for the period from July 1, 2013 to December 31, 2013.

ENVIRONMENTAL IMPACT: There will be no new environmental impact associated with adoption of the attached Resolution.

RECOMMENDATION: Staff recommends that the Oversight Board for the Successor Agency to the Tehachapi Redevelopment Agency adopt a resolution approving the Recognized Obligation Payment Schedule for the six-month fiscal period from July 1, 2013 through December 31, 2013 and taking certain related actions.

RESOLUTION NO. OB _____

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE SIX-MONTH FISCAL PERIOD FROM JULY 1, 2013 THROUGH DECEMBER 31, 2013, AND TAKING CERTAIN RELATED ACTIONS

RECITALS:

A. Pursuant to Health and Safety Code Section 34177(l), the Successor Agency to the Tehachapi Redevelopment Agency (the "Successor Agency") must prepare a proposed Recognized Obligation Payment Schedule ("ROPS") before each six-month fiscal period (commencing each January 1 and July 1) and submit each proposed ROPS to the Oversight Board for the Successor Agency (the "Oversight Board") for approval.

B. Pursuant to Health and Safety Code Section 34177(l)(2)(C) and (m), the Successor Agency must (1) submit the Oversight Board-approved ROPS for the six-month fiscal period from July 1, 2013 through December 31, 2013 ("ROPS 13-14A"), to the DOF, the Office of the State Controller, and the County Auditor-Controller no later than March 1, 2013; and (2) post a copy of the Oversight Board-approved ROPS 13-14A on the Successor Agency's website.

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE TEHACHAPI 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. The Oversight Board hereby approves proposed ROPS 13-14A, substantially in the form attached hereto as Exhibit A. Staff of the Successor Agency is hereby authorized and directed to submit a copy of Oversight Board-approved ROPS 13-14A to the DOF, the Office of the State Controller, and the County Auditor-Controller and to post a copy of the Oversight Board-approved ROPS 13-14A on the Successor Agency's Internet website (being a page on the Internet website of the City of Tehachapi).

Section 3. 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, including requesting additional review by the DOF and an opportunity to meet and confer on any disputed items, and any such actions previously taken by such officers and staff are hereby ratified and confirmed.

PASSED, APPROVED AND ADOPTED this 26th day of February, 2013.

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

Ed Grimes, Chairman
Oversight Board for the Successor Agency to the
Tehachapi Redevelopment Agency

ATTEST:

DENISE JONES, CMC
Secretary
Oversight Board for the Successor Agency to the
Tehachapi Redevelopment Agency

I hereby certify that the foregoing resolution was duly and regularly adopted by the
OVERSIGHT BOARD OF THE SUCCESSOR AGENCY at a special meeting thereof held on
February 26, 2013.

DENISE JONES, CMC
Secretary
Oversight Board for the Successor Agency to the
Tehachapi Redevelopment Agency

EXHIBIT A

**SUCCESSOR AGENCY TO THE TEHACHAPI REDEVELOPMENT AGENCY
RECOGNIZED OBLIGATION PAYMENT SCHEDULE
(July 1, 2013 through December 31, 2013)**

