



**SPECIAL MEETING
AGENDA
CITY OF GUSTINE
REDEVELOPMENT SUCCESSOR AGENCY
OVERSIGHT BOARD MEETING
COUNCIL CHAMBERS, CITY HALL
352 5th STREET GUSTINE, CALIFORNIA
SEPTEMBER 17, 2015 – 10:00 A.M.**

CALL TO ORDER - PLEDGE OF ALLEGIANCE

ROLL CALL

Board Members: Amarante – Scully – Nagy - DeMartini – Gomes – Kelsey -
Public Member (Vacant)

PRESENTATIONS

PUBLIC COMMENT

At this time, any person may comment on any item which is not on the agenda. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. Action will not be taken on the topic unless deemed an urgency matter by a 3/5 vote of the Board. Topics not considered an urgency matter may be referred to City staff and/or placed on a subsequent agenda for consideration, by a 3/5 vote of the Board.

Members of the public, who have questions regarding a specific agenda item, may comment on that item before consideration of that item, when recognized by the Chair.

ADMINISTRATIVE AGENDA

1. **Approve Minutes of the February 25, 2015 Meeting**
 1. *Recommendation: Review and Approve*

2. **Consider a Resolution Approving and Adopting a Recognized Obligation Payment Schedule (ROPS 15-16B) Pursuant to Health and Safety Code Section 34177(I)**
 1. *Receive Staff Report*
 2. *Receive Public Comment*
 3. *Consider a motion to approve the Resolution*

PUBLIC HEARING

REPORTS

CLOSED SESSION

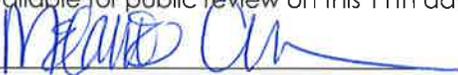
ADJOURNMENT

Note:

1. *In compliance with the Americans with Disabilities Act, a disabled person requesting a disability-related modification or accommodation to participate in this meeting, must contact City Hall at (209) 854-6471 or (209) 854-2127 (fax). Requests must be made as early as possible, preferably one-full business day before the start of the meeting.*
2. *Any document provided to a majority of the City Council regarding any open session item on this agenda is available for public inspection during normal business hours at the front counter of City Hall located at 352 5th Street, Gustine, CA. Documents or writings received after the general distribution of the agenda are also available for inspection.*

CERTIFICATION

I, Melanie Correa, Deputy City Clerk, do hereby declare under penalty of perjury that the foregoing agenda was posted at the Gustine City Hall, 352 5th Street, Gustine CA and made available for public review on this 11th day of September 2015, at or before 5:00 p.m.



Melanie Correa

**MINUTES OF
SUCCESSOR AGENCY OVERSIGHT BOARD
FEBRUARY 25, 2015**

CALL TO ORDER - PLEDGE OF ALLEGIANCE

Board member Gomes called the meeting to order at 2:31 P.M. and conducted the pledge of allegiance.

ROLL CALL

Board Members: Amarante, Nagy, Scully, Gomes, DeMartini, Kelsey

Staff Present: Finance Manager Jami Westervelt and Deputy City Clerk Melanie Correa

PRESENTATIONS

ORAL COMMUNICATIONS

There were no oral communications.

ADMINISTRATIVE AGENDA

- 1. Approve Minutes of the September 25, 2014 Meeting**
 - 1. Recommendation: Review and Approve*

Chairman Gomes introduced the minutes. Board member Nagy made a motion to approve the minutes from September 25, 2014. The motion was seconded by Board member Scully, and carried 6-0.

- 2. Consider a Resolution Approving and Adopting a Recognized Obligation Payment Schedule (ROPS 15-16A) Pursuant to Health and Safety Code Section 34177(I)**
 - 1. Receive Staff Report*
 - 2. Receive Public Comment*
 - 3. Consider a motion to approve the Resolution*

Finance Manager Westervelt presented the staff report. There was no public comment. After a brief discussion, Board member Kelsey made a motion to approve the resolution. The motion was seconded by Board member Nagy, and carried 6-0.

REPORTS

There were no reports.

CLOSED SESSION

ADJOURNMENT

Board member Scully moved to adjourn the meeting. The motion was seconded by Board member Amarante, and carried 6-0. The meeting was adjourned at 2:39 P.M.

ATTEST:

BOARD CLERK

Board Chair



OVERSIGHT BOARD OF THE REDEVELOPMENT SUCCESSOR AGENCY ITEM

SEPTEMBER 17, 2015

PREPARED BY: Jami Westervelt, Finance Manager

SUBJECT: Consider a Resolution Approving and Adopting a Recognized Obligation Payment Schedule 15-16B (ROPS) Pursuant to Health and Safety Code Section 34177(I).

BACKGROUND/DISCUSSION

On June 28, 2011, as part of the 2011-2012 State of California Budget Bill, Companion Bills Assembly Bill 1X 26 ("AB 26") and Assembly Bill 1X 27 ("AB 27") were enacted, dissolving the Redevelopment Agency of the City of Gustine ("Agency"), unless the City of Gustine ("City") elected to participate in the "Alternative Voluntary Redevelopment Program" established by AB 27 and paid an annual "community remittance" payment to the County of Merced. On July 18, 2011, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California in the matter of *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861 ("Legal Action"), challenging the constitutionality of AB 26 and AB 27 on behalf of cities, counties and redevelopment agencies. On December 29, 2011, the Supreme Court issued its opinion in the Legal Action, upholding AB 26, invalidating AB 27, extending certain statutory deadlines under Health and Safety Code Sections 34170 through 34191, and dissolving all redevelopment agencies throughout the State, effective February 1, 2012.

In January of 2012 the City elected to become the Successor Agency to the Gustine Redevelopment Agency. One of the responsibilities of the City, as Successor Agency, is to prepare Recognized Obligation Payment Schedule ("ROPS"), which sets forth the nature, amount, and source(s) of payment of all "enforceable obligations" of the Agency (as defined by law) to be paid by the Successor Agency after the Agency's dissolution.

Pursuant to Health and Safety Code Section 34177(I)(2), as modified by the Supreme Court's opinion in the Legal Action, the City, as Successor Agency, is required to prepare ROPS. These schedules are submitted to an external auditor (pursuant to Health and Safety Code Section 34182, either the County Auditor-Controller or its designee), for review and certification as to its accuracy ("Certified ROPS").

The obligations include primarily start up fees loaned from the City of Gustine for the establishment of the Agency and some ongoing anticipated administration and legal costs. The Successor agency will continue to list the attached obligations until which time the obligations are satisfied by any available tax increment.

The attached ROPS document reflects, for the first time, the receipt of dollars to pay back portions of the existing obligations. Two payments, together totaling \$29,241, were received in the reporting period. According to the Code, administrative obligations must be paid entirely before other start up costs.

The attached reports reflect the payments recorded against the administrative portion of the costs and remaining loan balance. The balance of the obligations total is reduced by \$29,241.

The ROPS must also be reviewed by the Oversight Board of the Successor Agency for approval. The attached resolution has one exhibit (ROPS 15-16B which covers the agency January 1, 2016 through June 30, 2016).

Once approved by the Oversight Board certification of the ROPS documents approval along with the document will be submitted to the County Auditor-Controller, the State Controller's Office and the State Department of Finance, and posted on the City's website.

RECOMMENDED ACTION

Staff recommends that the Oversight Board of the Successor Agency to the dissolved Redevelopment Agency of the City of Gustine, adopt the attached Resolution approving and adopting the a Recognized Obligation Payment Schedule (ROPS) 15-16B pursuant to Health and Safety Code Section 34177(l).

EXHIBIT

A) Resolution No. 2015-XX

RESOLUTION NO. 2015-XX

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO
THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF GUSTINE,
APPROVING AND ADOPTING A RECOGNIZED OBLIGATION PAYMENT
SCHEDULE 15-16B (January 1, 2016 through June 30, 2016) PURSUANT TO
HEALTH AND SAFETY CODE SECTION 34177(I)**

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Gustine ("Successor Agency") elected to become the Successor Agency to the Redevelopment Agency of the City of Gustine by Resolution No. 2012-2247 on January 17, 2012; and

WHEREAS, Health and Safety Code Section 34177(l)(2), as modified by the Supreme Court decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, requires the Successor Agency to prepare recognized obligation payment schedules ("ROPS") covering the period January 1, 2016 through June 30, 2016; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the ROPS schedule to an external auditor, either the Merced County Auditor-Controller or its designee, for the auditor's review and certification as to their accuracy; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the ROPS schedule certified by the external auditor ("Certified ROPS") to the Successor Agency's Oversight Board for its approval, and upon such approval, the Successor Agency is required to submit a copy of the approved ROPS 15-16B ("Approved ROPS") schedule to the Merced County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and post the Approved ROPS III schedule on the Successor Agency's website; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF GUSTINE, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the ROPS 15-16B through this Resolution does not commit the Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. Approval of the ROPS. The Oversight Board of the Successor Agency of the dissolved Redevelopment Agency of the City of Gustine hereby approves and adopts the final ROPS schedule's covering the period from January 1, 2016 through June 30, 2016 (Exhibit A); in substantially the form attached to this Resolution as Exhibit A, as required by Health and Safety Code Section 34177.

Section 4. Transmittal of the ROPS. The City Manager is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the ROPS 15-16B, including submitting the ROPS 15-16B to the Merced County Auditor-Controller, or its designee, the California State Controller, and the State of California Department of Finance, and posting the approved ROPS 15-16B schedules on the Successor Agency's website.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a meeting of the Oversight Board of the Successor Agency to the dissolved Redevelopment Agency of the City of Gustine on the 17th day of September, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Acting Chair

ATTEST:

Secretary

EXHIBIT A

**THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD
COVERING January 1, 2016 THROUGH June 30, 2016**

Recognized Obligation Payment Schedule (ROPS 15-16B) - Summary

Filed for the January 1, 2016 through June 30, 2016 Period

Name of Successor Agency: Gustine
Name of County: Merced

Current Period Requested Funding for Outstanding Debt or Obligation	Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding	
A Sources (B+C+D):	\$ -
B Bond Proceeds Funding (ROPS Detail)	-
C Reserve Balance Funding (ROPS Detail)	-
D Other Funding (ROPS Detail)	-
E Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 316,210
F Non-Administrative Costs (ROPS Detail)	285,451
G Administrative Costs (ROPS Detail)	30,759
H Total Current Period Enforceable Obligations (A+E):	\$ 316,210

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
I Enforceable Obligations funded with RPTTF (E):	316,210
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	-
K Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 316,210

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
L Enforceable Obligations funded with RPTTF (E):	316,210
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N Adjusted Current Period RPTTF Requested Funding (L-M)	316,210

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
/s/	
Signature	Date

Gustine Recognized Obligation Payment Schedule (ROPS 15-16B) - ROPS Detail
 January 1, 2016 through June 30, 2016
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P
										Funding Source					
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired						
1	Coop. Agree.-- Redevelopment	City/County Loans	3/15/2011	6/30/2014	City of Gustine	Start up costs related to the formation	Gustine	\$ 316,210	N	\$ -	\$ -	\$ -	\$ 285,451	\$ 30,759	\$ 316,210
2	Coop. Agree.-- Redevelopment Agency and City of Gustine (As Approved Stated Within Gustine City Council Resolution 2011-2222 and Agency Reso 2011-11)	Admin Costs	3/15/2011	6/30/2014	City of Gustine	ESTIMATED Administrative Costs (City Staff Time, Legal Consultants and Financial Consultants) incurred since formation of agency and redevelopment plan. (ADMIN Allowance)	Gustine	285,451	N				285,451	30,759	285,451
3									N						\$ -
4									N						\$ -
5									N						\$ -
6									N						\$ -
7									N						\$ -
8									N						\$ -
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43									N						\$ -
44									N						\$ -
45									N						\$ -

Gustine Recognized Obligation Payment Schedule (ROPS 15-16B) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#)

A	B	C	D	E	F	G	H	I						
									Fund Sources					
									Bond Proceeds		Reserve Balance		Other	RPTTF
Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	Comments								
Cash Balance Information by ROPS Period														
ROPS 14-15B Actuals (01/01/15 - 06/30/15)														
1	Beginning Available Cash Balance (Actual 01/01/15)							No RTTF Previously						
2	Revenue/Income (Actual 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015						19,210	Merced County warrant # 5088613. Stub list date 12/30/2015.						
3	Expenditures for ROPS 14-15B Enforceable Obligations (Actual 06/30/15) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q													
4	Retention of Available Cash Balance (Actual 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)													
5	ROPS 14-15B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15B PPA in the Report of PPA, Column S	No entry required												
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,210							
ROPS 15-16A Estimate (07/01/15 - 12/31/15)														
7	Beginning Available Cash Balance (Actual 07/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,210							
8	Revenue/Income (Estimate 12/31/15) RPTTF amounts should tie to the ROPS 15-16A distribution from the County Auditor-Controller during June 2015						10,031	Merced County warrant # 5158153. Stub list date 5/22/2015.						
9	Expenditures for ROPS 15-16A Enforceable Obligations (Estimate 12/31/15)													
10	Retention of Available Cash Balance (Estimate 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)													
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 29,241							

