

# OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY

## A G E N D A

West Covina City Council Chambers, 1<sup>st</sup> Floor  
1444 West Garvey Avenue, West Covina, CA 91790

WEDNESDAY, SEPTEMBER 24, 2014  
4:00 p.m.

*Carrie A. Sutkin*, Chairperson  
*Luzmaria Chavez*, Board Member  
*Robert R. Coghlan*, Board Member  
*Mike Gregoryk*, Board Member  
*Gerry Hertzberg*, Board Member  
*Mike Lee*, Board Member  
*Nickolas Lewis*, Board Member

### AMERICANS WITH DISABILITIES ACT

The Board complies with the Americans with Disabilities Act (ADA). If you will need special assistance at Board Meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday, at least 48 hours prior to the meeting to make arrangements.

### AGENDA MATERIAL

Agenda material is available for review at the West Covina City Clerk's Office, Room 317 in City Hall, 1444 W. Garvey Avenue and at [www.westcovina.org](http://www.westcovina.org). Any writings or documents regarding any item on this agenda not exempt from public disclosure, provided to a majority of the Oversight Board that is distributed less than 72 hours, before the meeting, will be made available for public inspection in the City Clerk's Office, Room 317 of City Hall during normal business hours.

### PUBLIC COMMENT

Any member of the public may address the Board on items within the Board's subject matter jurisdiction during Public Comments. The Board may not take action on matters not listed on the posted agenda. If you would like to address the Board, please complete a Speaker Card and submit to the Board Secretary. All comments are limited to five (5) minutes per speaker. All speakers shall observe decorum and order as specified in the *Rules of Procedure of the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency*.

SPECIAL MEETING  
**AGENDA**  
Wednesday, September 24, 2014  
4:00 p.m.

**I. CALL TO ORDER**

**A. Roll Call**

Carrie A. Sutkin, Chairperson  
Luzmaria Chavez, Board member  
Robert R. Coghlan, Board Member  
Mike Gregoryk, Board member  
Gerry Hertzberg, Board Member  
Mike Lee, Board Member  
Nickolas Lewis, Board Member

**B. Pledge of Allegiance**

**II. CHANGES TO THE AGENDA**

**III. PUBLIC COMMENT**

This is the time set aside for public comments. Please step forward to the podium and state your name and city of residence for the record when recognized by the Chairperson. Comments are limited to five (5) minutes per speaker.

**IV. BUSINESS ITEM(S)**

**A. Consideration of the Recognized Obligation Payment Schedule "ROPS" and Successor Agency Administrative Budget Covering the Period of January 1, 2015 through June 30, 2015**

Recommended Actions

It is recommended that the Oversight Board review and approve the following resolution approving the Recognized Obligation Payment Schedule "ROPS" and the Successor Agency Administrative Budget for the period of January 1, 2015 through June 30, 2015.

RESOLUTION NO. OB-0026 – A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) AND SUCCESSOR AGENCY ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 24177 FOR THE PERIOD JANUARY 1, 2015 THROUGH JUNE 30, 2015

**B. Cooperative Agreement Between the City of West Covina and Successor Agency to the West Covina Redevelopment Agency**

Recommended Action

It is recommended that the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency adopt the following resolution:

RESOLUTION NO. OB-0027 – A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF WEST COVINA, AND THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY

**V. BOARD MEMBERS' COMMENTS**

**VI. ADJOURNMENT**

Copies of staff reports or other written documentation, if any, relating to each item of business described above are on file in the West Covina City Hall, City Clerk's Office, 1444 West Garvey Avenue, West Covina CA 91790, and are available for public inspection upon request during regular business hours of 8:00 a.m. to 5:30 p.m., Monday through Thursday.

Should any person have a question concerning any of the above agenda items prior to the meeting described herein, he or she may contact Christopher J. Chung, Executive Director, either in person at the West Covina City Hall, 1444 West Garvey Avenue, West Covina, CA 91790, or by calling via telephone at (626) 939-8401 during regular business hours.

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY  
OF THE WEST COVINA REDEVELOPMENT AGENCY**

**AGENDA REPORT**  
Item No. IV-A  
Date: September 24, 2014

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**TO:** Chairman and Members of the Oversight Board to the Successor Agency  
of the West Covina Redevelopment Agency

**FROM:** Christopher J. Chung, Executive Director

**BY:** Nita McKay, Director of Finance & Administrative Services

**SUBJECT:** **CONSIDERATION OF THE RECOGNIZED OBLIGATION  
PAYMENT SCHEDULE "ROPS" AND SUCCESSOR AGENCY  
ADMINISTRATIVE BUDGET COVERING THE PERIOD OF  
JANUARY 1, 2015 THROUGH JUNE 30, 2015**

**RECOMMENDATION:**

It is recommended that the Oversight Board review and approve the following resolution approving the Recognized Obligation Payment Schedule "ROPS" and the Successor Agency Administrative Budget for the period of January 1, 2015 through June 30, 2015.

RESOLUTION NO. OB-0026 – A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) AND SUCCESSOR AGENCY ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 FOR THE PERIOD JANUARY 1, 2015 THROUGH JUNE 30, 2015

**PURPOSE:**

Assembly Bills 1X 26 ("AB 26") and 1484 ("AB 1484") require the preparation of the Recognized Obligation Payment Schedule (ROPS) for a six (6) month period. Included within the ROPS is the Successor Agency Administrative Budget for the same six-month period. The ROPS lists enforceable obligations of the Successor Agency and must be approved by the Oversight Board, and thereafter submitted to the Los Angeles County Auditor Controller, the State Controller, and the State Department of Finance (DOF) by October 3, 2014.

## **DISCUSSION:**

Staff will provide an overview of the ROPS, which includes the Successor Agency Administrative Budget of \$127,629 covering the period of January 1, 2015 through June 30, 2015. The Department of Finance has continually made changes to the reporting format and this submittal contains the latest version. Items listed on prior ROPS and not approved by DOF are included on ROPS 14-15B with no dollar amounts associated with the individual line items. These items may become enforceable obligations in the future if certain criteria are met.

The ROPS 14-15B contains not only the summary schedule and the report of prior period adjustments, but the newly required Report of Cash Balances, reconciling ROPS 13-14B and ROPS 14-15A balances of the Successor Agency's funds.

The total amount of funding requested for enforceable obligations from RPTTF on ROPS 14-15B is \$4,381,936 and includes many of the same items that have been previously approved by DOF.

New items added to the Recognized Obligation Payment Schedule include:

Item #68 – City of West Covina vs. State of California- Alvarez-Glasman & Colvin \$50,000. This item pertains to the City of West Covina lawsuit against the State of California to preserve the Agency/City loan agreements.

Item #69 – Caltrans Eminent Domain – Alvarez-Glasman & Colvin \$40,000. This item pertains to the condemnation action from California Department of Transportation (Caltrans) and the seizure of Successor Agency properties at the West Covina Mall and Lakes office site.

Item #70 – Hassen Import Partners – Jones & Mayer \$30,000. This item pertains to future approvals (e.g. approval of dealers) and enforcement of the Settlement Agreement regarding consent of the City of West Covina and Successor Agency and the sale of Auto mall property to Bentley Real Estate LLC.

Item #71 – City of West Covina vs. State of California – Jones & Mayer \$10,000. This item pertains to the City of West Covina lawsuit against the State of California to preserve the Agency/City loan agreements.

Item #72 – Caltrans Eminent Domain – Jones & Mayer \$10,000. This item pertains to the condemnation action from California Department of Transportation (Caltrans) and the seizure of Successor Agency properties at the West Covina Mall and Lakes office site.

Item #73 – Loan Agreement – City of West Covina \$821,365. This items pertains to Department of Finance request to have a Loan Agreement between the City of West Covina and the Successor Agency in order to retain previously expended legal costs.

Item #74 – Cooperative Agreement – City of West Covina \$89,500. This item pertains to a Cooperative Agreement between the City of West Covina and the Successor Agency to pay for

City staff time spent on projects pertaining to the Successor Agency and allowable charges for rental space from the City.

Item #75 – Anticipated/Existing Litigation – Alvarez-Glasman & Colvin \$49,000. This item pertains to litigation costs for January through June 2014. The estimate for ROPS 13-14B was \$60,000 and the actual expenditures were \$109,000.

Item #76 – Loan Agreement – City of West Covina \$48,413. This item pertains to the City of West Covina lawsuit against the State of California to preserve the Agency/City loan agreements. These funds were expended from May 2013 to June 2014.

Prepared By:

  
\_\_\_\_\_  
Nita McKay  
Director of Finance & Administrative Services

**Attachments:** Attachment 1 – Resolution OB-0026  
Attachment 2 – ROPS 14-15B January 1, 2015 through June 30, 2015 Schedules  
Attachment 3 – Administrative Budget for January 1, 2015 through June 30, 2015

RESOLUTION NO. OB-\_\_\_\_\_

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) AND SUCCESSOR AGENCY ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 FOR THE PERIOD OF JANUARY 1, 2015 THROUGH JUNE 30, 2015**

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

**WHEREAS**, California Health and Safety Code Section 34177(j) (1) provides that a successor agency must prepare an administrative budget for every six-month fiscal period;

**WHEREAS**, the ROPS identifies each enforceable obligation on which payments will be required during the period of January 1, 2015 through June 30, 2015, and identifies the minimum payment amounts and due dates of payments required by each such enforceable obligation.

**WHEREAS**, the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency desires to adopt this Resolution approving a ROPS and related Administrative Budget in accordance with Health and Safety Code Section 34177 for the six-month period of January 1, 2015 through June 30, 2015.

**NOW, THEREFORE**, the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency hereby resolves:

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

**SECTION 2.** This Resolution is adopted pursuant to Health and Safety Code Section 34177.

**SECTION 3.** The Board hereby approves the ROPS substantially in the form attached as Attachment 2 and Administrative Budget substantially in the form attached as Attachment 3 to this Resolution and incorporated herein by reference. The Executive Director of the Successor Agency, in consultation with the Successor Agency’s legal counsel, may modify the ROPS and Administrative Budget as the Executive Director or the Successor Agency’s legal counsel deems necessary or advisable.

**SECTION 4.** The officers 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, including, but not limited to, submitting the ROPS and Administrative Budget to the State Department of Finance, the State Controller's Office and the County Auditor-Controller and posting the ROPS and Administrative Budget on the City website, and any such actions previously taken by such officers and staff are hereby ratified and confirmed.

**SECTION 5.** The Oversight Board Secretary shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED on this 24<sup>th</sup> day of September, 2014.

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Carrie A. Sutkin, Chairperson  
Oversight Board to the Successor Agency  
of the West Covina Redevelopment Agency

ATTEST

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Susan Rush, Secretary  
Oversight Board to the Successor Agency  
of the West Covina Redevelopment Agency

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency at its regular meeting held on the 24<sup>th</sup> day of September by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Susan Rush, Secretary  
Oversight Board to the Successor Agency  
of the West Covina Redevelopment Agency



### Recognized Obligation Payment Schedule (ROPS 14-15B) - Summary

Filed for the January 1, 2015 through June 30, 2015 Period

Name of Successor Agency: West Covina  
 Name of County: Los Angeles

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
<b>A</b>	<b>Sources (B+C+D):</b>	<b>\$ 953,979</b>
B	Bond Proceeds Funding (ROPS Detail)	-
C	Reserve Balance Funding (ROPS Detail)	-
D	Other Funding (ROPS Detail)	953,979
<b>E</b>	<b>Enforceable Obligations Funded with RPTTF Funding (F+G):</b>	<b>\$ 4,381,936</b>
F	Non-Administrative Costs (ROPS Detail)	4,254,307
G	Administrative Costs (ROPS Detail)	127,629
<b>H</b>	<b>Current Period Enforceable Obligations (A+E):</b>	<b>\$ 5,335,915</b>
<b>Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
I	Enforceable Obligations funded with RPTTF (E):	4,381,936
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(1,072,088)
<b>K</b>	<b>Adjusted Current Period RPTTF Requested Funding (I-J)</b>	<b>\$ 3,309,848</b>
<b>County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding</b>		
L	Enforceable Obligations funded with RPTTF (E):	4,381,936
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
<b>N</b>	<b>Adjusted Current Period RPTTF Requested Funding (L-M)</b>	<b>4,381,936</b>

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

**Recognized Obligation Payment Schedule (ROPS 14-15B) - 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 [https://rad.dof.ca.gov/rad-sa/pdf/Cash\\_Balance\\_Agency\\_Tips\\_Sheet.pdf](https://rad.dof.ca.gov/rad-sa/pdf/Cash_Balance_Agency_Tips_Sheet.pdf).

A	B	C	D	E	F	G	H	I	
		<b>Fund Sources</b>							
		<b>Bond Proceeds</b>		<b>Reserve Balance</b>		<b>Other</b>	<b>RPTTF</b>		
		<b>Bonds Issued on or before 12/31/10</b>	<b>Bonds Issued on or after 01/01/11</b>	<b>Prior ROPS period balances and DDR RPTTF balances retained</b>	<b>Prior ROPS RPTTF distributed as reserve for future period(s)</b>	<b>Rent, Grants, Interest, Etc.</b>	<b>Non-Admin and Admin</b>	<b>Comments</b>	
	<b>Cash Balance Information by ROPS Period</b>								
<b>ROPS 13-14B Actuals (01/01/14 - 06/30/14)</b>									
1	Beginning Available Cash Balance (Actual 01/01/14)	7,360,515				3,164,667	4,389,138		
2	Revenue/Income (Actual 06/30/14) RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014	20,899				2,741,312	2,340,060		
3	Expenditures for ROPS 13-14B Enforceable Obligations (Actual 06/30/14) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q					955,526	4,031,871		
4	Retention of Available Cash Balance (Actual 06/30/14) RPTTF amount retained should only include the amounts distributed for debt service reserve(s) approved in ROPS 13-14B								
5	ROPS 13-14B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 13-14B PPA in the Report of PPA, Column S			No entry required			1,072,088		
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	7,381,414	-	-	-	4,950,453	2,697,327		
<b>ROPS 14-15A Estimate (07/01/14 - 12/31/14)</b>									
7	Beginning Available Cash Balance (Actual 07/01/14) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	7,381,414	-	-	-	4,950,453	2,697,327		
8	Revenue/Income (Estimate 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014						5,711,917		
9	Expenditures for ROPS 14-15A Enforceable Obligations (Estimate 12/31/14)					4,511,033	7,782,130		
10	Retention of Available Cash Balance (Estimate 12/31/14) RPTTF amount retained should only include the amount distributed for debt service reserve(s) approved in ROPS 14-15A								
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	7,381,414	-	-	-	439,420	627,114		

**Recognized Obligation Payment Schedule (ROPS 14-15B) - ROPS Detail**  
**January 1, 2015 through June 30, 2015**  
 (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	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total
1	1999 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	11/1/1999	11/1/2029	US Bank	Fund capital projects in Merged Area	Merged	\$ 271,391,841	N	\$	\$	\$ 953,979	\$ 4,254,307	\$ 127,629	\$ 5,335,915
2	2002 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	6/1/2002	9/1/2022	US Bank	Refund outstanding 1993 bonds	Merged	9,383,888	N				181,718		181,718
3	2006 Lease Revenues Bonds	Revenue Bonds Issued On or Before 12/31/10	9/19/2006	6/1/2036	City of West Covina	Reimburse City for BLD Debt Service	Merg/Citywide	26,952,951	N				702,608		702,608
4	1998 Housing Set Aside Bonds	Bonds Issued On or Before 12/31/10	4/1/1998	9/1/2025	US Bank	Acquisition and rehab of a housing project	Merged	4,857,229	N				99,711		99,711
5	2001 Housing Set Aside Bonds	Bonds Issued On or Before 12/31/10	12/1/2001	9/1/2030	US Bank	Development of a senior housing project	Merged	9,223,954	N				160,690		160,690
6	SERAF 2010 Housing Loan	SERAF/ERAF	2/18/2010	6/30/2015	Housing Successor Agency	Repay SERAF to the housing fund	Merged	3,847,222	N				233,595		233,595
7	SERAF 2011 Housing Loan	SERAF/ERAF	1/18/2011	6/30/2016	Housing Successor Agency	Repay SERAF to the housing fund	Merged	890,319	N				54,058		54,058
8	DDA - The Lakes	OPA/DDA/Construction	6/26/1987	6/30/2038	Gateway Crescent, LLC	Allocated bond costs & maintenance for park structure	Merged	940,000	N				60,000		60,000
9	CFD Tax Increment Pledge	OPA/DDA/Construction	6/26/1989	9/1/2022	Fashion Plaza CFD	Tax Increment pledged to CFD	Merged	12,237,595	N				739,500		739,500
10	CSS - CFD	Remediation	10/19/2004	10/19/2054	Coastal Sage Scurb CFD	CFD Assessment	Merged	4,581,807	N				38,170		38,170
11	Repay County Loan	Third-Party Loans	6/19/1990	8/20/2021	County of Los Angeles	Repay Loan of Deferred Tax Increment	Merged	9,254,956	N						
12	SA Administrative Budget	Admin Costs	1/1/2014	6/30/2015	SA staff, Various	Operations for both project areas	Merged		N					127,629	127,629
13	City Cooperative Agreement	City/County Loans On or Before 6/27/11	8/23/2012	6/30/2015	City of West Covina	Reimbursement of advanced SA expenses	Merged		N						
14	Anticipated/Existing Litigation	Litigation	3/16/2006	6/30/2015	Squire Sanders & Dempsey	Enforcement of judgments/obligations	Merged	530,000	N				80,000		80,000
15	Anticipated/Existing Litigation	Litigation	7/18/2000	6/30/2015	Alvarez-Glasman Colvin	Enforcement of judgments/obligations	Merged	82,500	N				37,500		37,500
16	Anticipated/Existing Litigation	Litigation	10/22/2012	6/30/2015	Eminent Domain Law Group	RDA property litigation	Merged	472,400	N				472,400		472,400
17	Anticipated/Existing Litigation	Litigation	4/25/2007	6/30/2015	Hunsucker Goldslien	RDA property litigation	Merged	45,000	N				5,000		5,000
18	Project Administrative Costs	Project Management Costs	1/1/2014	6/30/2015	Various	Project specific related costs	Merged		N						
19	AB 1484 Auditing Fees	Dissolution Audits	9/10/2012	6/30/2015	White Nelson Diehl Evans	AB 1484 Auditing Fees	Merged	217,500	N				15,000		15,000
20	Oversight Board Legal Services	Legal	10/4/2012	6/30/2015	Harper & Burns	Oversight Board Legal Services	Merged		N						
21	Successor Agency Legal Services	Legal	7/18/2000	6/30/2015	Alvarez-Glasman Colvin	Successor Agency Legal Services	Merged		N						
22	Property Management Plan	Professional Services	1/1/2014	6/30/2015	TBD	Long-Range Property Management Plan per AB 1484	Merged	30,000	N				30,000		30,000
23	City Note - Administration	City/County Loans On or Before 6/27/11	8/9/1971	6/30/2025	City of West Covina	Repay City for admin & construction	Merged		N						
24	City Note - CIP	City/County Loans On or Before 6/27/11	2/28/1972	6/30/2025	City of West Covina	Repay City for capital projects	Merged		N						
25	City Note Revolving	City/County Loans On or Before 6/27/11	12/16/1985	6/30/2025	City of West Covina	Repay City for revolving credit	Merged		N						
26	Sales Tax Reimbursement	City/County Loans On or Before 6/27/11	7/25/2005	6/30/2025	City of West Covina	Reimburse City for CFD Sales Tax	Merged		N						
27	Golf Course Agreement	OPA/DDA/Construction	6/21/2011	6/30/2015	Various	Golf Course Implementation Agreement	Merged		N						
28	1996 CFD Refunding Bonds	Bonds Issued On or Before 12/31/10	7/1/1996	9/1/2022	US Bank	Fund Fashion Plaza Improvements	Merged	36,513,300	N			843,750			843,750
29	1988 Lease Rev Refunding Bonds	Revenue Bonds Issued On or Before 12/31/10	8/1/1988	8/1/2018	Wells Fargo Bank	Fund Lakes Parking Project	Merged	2,747,758	N			110,229			110,229

**Recognized Obligation Payment Schedule (ROPS 14-15B) - ROPS Detail**  
**January 1, 2015 through June 30, 2015**  
 (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		
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	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total
30	OPA - CFD	OPA/DDA/Construction	6/26/1989	9/1/2022	Westfield Corporation	CFD admin and developer repayment	Merged	94,723,569	N						
31	Anticipated/Existing Litigation	Litigation	3/16/2006	6/30/2015	Squire Sanders & Dempsey	Enforcement of judgments/obligations Feb-Jun 2012	Merged		N						
32	Anticipated/Existing Litigation	Litigation	3/16/2006	6/30/2015	Squire Sanders & Dempsey	Enforcement of judgments/obligations Jul-Dec 2012	Merged		N						
33	Anticipated/Existing Litigation	Litigation	3/16/2006	6/30/2015	Alvarez-Glasman Colvin	Enforcement of judgments/obligations Feb-Jun 2012	Merged		N						
34	Anticipated/Existing Litigation	Litigation	3/16/2006	6/30/2015	Alvarez-Glasman Colvin	Enforcement of judgments/obligations Jul-Dec 2012	Merged		N						
35	Anticipated/Existing Litigation	Litigation	10/22/2012	6/30/2015	Eminent Domain Law Group	RDA property litigation Feb-Jun 2012	Merged		N						
36	Anticipated/Existing Litigation	Litigation	10/22/2012	6/30/2015	Eminent Domain Law Group	RDA property litigation Jul-Dec 2012	Merged		N						
37	Anticipated/Existing Litigation	Litigation	4/25/2007	6/30/2015	Hunsucker Goldstien	RDA property litigation Feb-Jun 2012	Merged		N						
38	Anticipated/Existing Litigation	Litigation	4/25/2007	6/30/2015	Hunsucker Goldstien	RDA property litigation Jul-Dec 2012	Merged		N						
41	City Note - Administration	City/County Loans On or Before 6/27/11	8/9/1971	6/30/2025	City of West Covina	Repay City for admin & construction Feb-Jun 2012	Merged		N						
42	City Note - Administration	City/County Loans On or Before 6/27/11	8/9/1971	6/30/2025	City of West Covina	Repay City for admin & construction Jul-Dec 2012	Merged		N						
43	City Note - CIP	City/County Loans On or Before 6/27/11	2/28/1972	6/30/2025	City of West Covina	Repay City for capital projects Feb-Jun 2012	Merged		N						
44	City Note - CIP	City/County Loans On or Before 6/27/11	2/28/1972	6/30/2025	City of West Covina	Repay City for capital projects Jul-Dec 2012	Merged		N						
45	1998 - 2006 Bonds	Fees	4/1/1998	9/1/2030	US Bank	Bond Fiscal Agent Fees	Merged	8,000	N				8,000		8,000
46	1998 - 2006 Bonds	Fees	4/1/1998	9/1/2030	Wells Fargo Bank	Bond Letter of Credit Fees	Merged	29,040	N				29,040		29,040
47	1998 - 2006 Bonds	Fees	11/1/1999	11/1/2029	Wells Fargo Bank	Bond Remarketing Fees	Merged	2,400	N				2,040		2,040
48	1998 - 2006 Bonds	Fees	11/1/1999	11/1/2029	Standard and Poors	Bond Credit Agency Surveillance Fees	Merged	2,000	N				2,000		2,000
49	Anticipated/Existing Litigation	Litigation	5/1/2007	6/30/2015	Law Office of Robert Gokoo	RDA property litigation - BKK slope failure	Merged		N						
50	Unfunded Pension Liabilities	Unfunded Liabilities	7/1/1966	6/30/2015	CalPERS	Payment for unfunded pension obligations	Merged	1,207,771	N				44,732		44,732
51	Retirement Benefits	Unfunded Liabilities	9/19/2001	6/30/2015	Former employee	Payment for retirement obligations	Merged	1,158,470	N				13,327		13,327
52	ROPS 1 RORF Reserve	Reserves	1/1/2014	6/30/2015	City of West Covina	Adjustment to Redevelopment Obligation Retirement Fund	Merged		N						
54	Contractual Services ROPS/Property Plan	Professional Services	3/6/2013	6/30/2015	Gonsalves and Sons	Consultant for ROPS and property management plan	Merged	18,000	N				18,000		18,000
55	BKK Landfill Closure Agreements	Remediation	4/17/2001	6/30/2015	Various	Landfill closure mitigation to approved recreation use	Merged	45,578,311	N						
56	Contractual Services ROPS/Property Plan	Professional Services	3/6/2013	6/30/2015	Gonsalves and Sons	Consultant for ROPS and property management plan Jan-Jun 2013	Merged		N						
57	Public Notices	Property Dispositions	1/1/2014	6/30/2015	SVG Newspaper	Notices of Proposed Property Transfer Jul 2012-Jun 2013	Merged		N						
58	Special Assessments on RDA-owned parcels	Project Management Costs	1/1/2014	6/30/2015	City of West Covina	Citywide Lighting & Landscape Maintenance District #2 Jul 2012-Jun 2013	Merged		N						
59	Retirement Benefits	Unfunded Liabilities	9/19/2001	6/30/2015	Former employee	Payment for retirement obligations Feb 2012-Jun 2013	Merged		N						
60	Special Assessments on RDA-owned parcels	Project Management Costs	1/1/2014	6/30/2015	City of West Covina	Citywide Lighting & Landscape Maint District #2	Merged	5,440	N				5,440		5,440
61	AB 1484 Auditing Fees	Dissolution Audits	9/10/2012	6/30/2015	White Nelson Diehl Evans	AB 1484 Auditing Fees Jul-Dec 2012	Merged		N						

**Recognized Obligation Payment Schedule (ROPS 14-15B) - ROPS Detail**  
**January 1, 2015 through June 30, 2015**  
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P
										M					
										N					
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	Funding Source			Six-Month Total		
										Bond Proceeds	Reserve Balance	Other Funds			
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)		RPTTF			
82	Anticipated/Existing Litigation	Litigation	6/1/2013	6/30/2015	Blank Rome LLP	Enforcement of judgments/obligations (assisting Squire Sanders)	Merged	48,000	N				48,000		48,000
83	Anticipated/Existing Litigation	Litigation	6/1/2013	6/30/2015	Blank Rome LLP	Enforcement of judgments/obligations Jan-Jun 2013	Merged		N						
84	Anticipated/Existing Litigation	Litigation	6/1/2013	6/30/2015	Blank Rome LLP	Enforcement of judgments/obligations Jul-Dec 2012	Merged		N						
85	DDA - The Lakes	OPA/DDA/Construction	6/26/1987	6/30/2038	Gateway Crescent LLC	Allocated bond costs & maintenance for park structure Jan-Jun 2013	Merged		N						
86	Anticipated/Existing Litigation	Litigation	3/16/2006	6/30/2015	Squire Sanders & Dempsey	Enforcement of judgments/obligations Jan-Jun 2013	Merged		N						
87	Project Administrative Costs	Project Management Costs	9/27/2011	6/30/2015	Rincon Environmental LLC	Project specific related costs for environmental land use consulting for BKK Landfill	Merged	15,000	N				15,000		15,000
88	City of West Covina vs. State of California	Litigation	2/1/2011	6/30/2015	Alvarez-Glasman Colvin	Enforcement of judgments/obligations	Merged	50,000	N				50,000		50,000
89	Caltrans Eminent Domain	Litigation	2/1/2014	6/30/2015	Alvarez-Glasman Colvin	Enforcement of judgments/obligations	Merged	40,000	N				40,000		40,000
90	Hassen Imports Partners	Litigation	2/1/2014	6/30/2015	Jones & Mayer	Enforcement of judgments/obligations	Merged	30,000	N				30,000		30,000
91	City of West Covina vs. State of California	Litigation	2/1/2014	6/30/2015	Jones & Mayer	Enforcement of judgments/obligations	Merged	10,000	N				10,000		10,000
92	Caltrans Eminent Domain	Litigation	2/1/2014	6/30/2015	Jones & Mayer	Enforcement of judgments/obligations	Merged	10,000	N				10,000		10,000
93	Loan Ageement	Loan Ageement	9/16/2014	6/30/2015	City of West Covina	Reimbursement of advanced SA expenses	Merged	821,365	N				821,365		821,365
94	Cooperative Agreement	Cooperative Agreement	9/16/2014	6/30/2015	City of West Covina	Reimbursement of advanced SA expenses	Merged	89,500	N				89,500		89,500
95	Anticipated/Existing Litigation	Litigation	7/18/2000	6/30/2015	Alvarez-Glasman Colvin	Enforcement of judgments/obligations - January - June 2014	Merged	49,000	N				49,000		49,000
96	Loan Ageement	Loan Ageement	9/16/2014	6/30/2015	City of West Covina	Reimbursement of advanced SA expenses (legal expenses)	Merged	48,413	N				48,413		48,413
97									N						
98									N						
99									N						
100									N						
101									N						
102									N						
103									N						
104									N						
105									N						
106									N						
107									N						
108									N						
109									N						
110									N						
111									N						
112									N						
113									N						
114									N						
115									N						
116									N						
117									N						
118									N						
119									N						
120									N						
121									N						
122									N						
123									N						
124									N						
125									N						

**Recognized Obligation Payment Schedule (ROPS 14-15B) - Notes**

January 1, 2015 through June 30, 2015

Item #	Notes/Comments
1	Fund capital projects in Merged Area
2	Refund outstanding 1993 bonds
3	Reimburse City for BLD Debt Service
4	Acquisition and rehab of a housing project
5	Development of a senior housing project
6	Repay SERAF to the housing fund
7	Repay SERAF to the housing fund
8	Allocated bond costs & maintenance for park structure
9	Tax Increment pledged to CFD
10	CFD Assessment
11	
12	
13	
14	Enforcement of judgments/obligations
15	Enforcement of judgments/obligations
16	RDA property litigation
17	RDA property litigation
18	
19	AB 1484 Auditing Fees
20	
21	
22	Long-Range Property Management Plan per AB 1484
23	Pending Finding of Completion. Amount outstanding \$12,859,463
24	Pending Finding of Completion. Amount outstanding \$ 2,252,898
25	Pending Finding of Completion. Amount outstanding \$ 4,824,791
26	Pending Finding of Completion. Amount outstanding \$22,856,769
27	
28	Fund Fashion Plaza Improvements
29	Fund Lakes Parking Project
30	
31	
32	
33	
34	

**Recognized Obligation Payment Schedule (ROPS 14-15B) - Notes**  
January 1, 2015 through June 30, 2015

Item #	Notes/Comments
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	Fiscal Agent Fees for multiple bonds approved as enforceable obligations. Amounts previously included with individual bond issue on lines 1,2,4, & 5.
46	Letter of Credit Fees for multiple bonds approved as enforceable obligation. Amounts previously included with individual bond issue on lines 1,2,4 & 5.
47	Remarketing Fees for 1999 bonds approved as enforceable obligation. Amounts previously included with individual bond issue on line 1.
48	Rating Agency Fees for 1999 bonds approved as enforceable obligation. Amounts previously included with individual bond issue on line 1.
49	
50	Ongoing. Liability for unfunded pension obligations of former redevelopment agency employees
51	Ongoing. Liability for unfunded retirement obligations of former redevelopment agency employee
52	
53	
54	Ongoing. Consultant to assist the Successor Agency with the Property Management Plan processes.
55	Ongoing. Future services to perform the contractual obligations of the Successor Agency in relation to closing the BKK Landfill.
56	
57	
58	
59	
60	Ongoing. Special Assessments on RDA-owned parcels.
61	
62	Ongoing. Assisting Squire Sanders and Dempsey. See line #32.
63	
64	
65	









SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY  
 ADMINISTRATIVE BUDGET  
 January 1, 2015 to June 30, 2015

	Annual Amount	January - June 2015
Salaries & Benefits	219,674	87,165
Maintenance & Operations		
Consultants	35,000	7,500
Legal Fees	30,000	15,000
Phone	908	454
Cell Phone	800	360
Supplies	4,911	1,250
Meetings	6,200	-
Overhead	40,000	7,500
Liability Insurance	<u>16,800</u>	<u>8,400</u>
Subtotal		
Total Budget	<u><u>354,293</u></u>	<u><u>127,629</u></u>

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY  
OF THE WEST COVINA REDEVELOPMENT AGENCY**

**AGENDA REPORT**

Item No. IV-B

Date: September 24, 2014

---

**TO:** Chairperson and Board Members of the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

**FROM:** Christopher J. Chung, Executive Director

**BY:** Paulina Morales, Project Manager

**SUBJECT: COOPERATIVE AGREEMENT BETWEEN THE CITY OF WEST COVINA AND SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY**

**RECOMMENDED ACTION:**

It is recommended that the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency adopt the following resolution:

RESOLUTION NO. OB-0027 - A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF WEST COVINA, AND THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY

**DISCUSSION:**

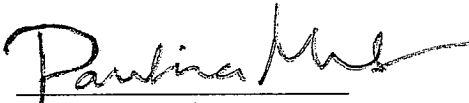
The former West Covina Redevelopment Agency was dissolved pursuant to state law on February 1, 2012. In the wake of this dissolution, the City elected to perform the functions of the "Successor Agency" to the former West Covina Redevelopment Agency as permitted by the redevelopment dissolution statutes. Because the City elected to perform such functions, Health & Safety Code section 34173(h) permits the City to loan funds to the Successor Agency for the purpose covering the Successor Agency's "administrative costs, enforceable obligations, or project-related expenses at the city's discretion." The purpose of this Cooperative Agreement is to formalize the relationship permitted under the authority of Health & Safety Code section 34173(h) such that the City may be able to seek reimbursement for the costs it incurs on behalf of the Successor Agency in performing and assisting in the performance of the Successor Agency's obligation under the redevelopment dissolution statutes.

The Cooperative Agreement covers a variety of potential costs incurred by the City on behalf of the Successor Agency. These costs include City staff time, use of City equipment, and the use of the City's consultants and legal counsel to carry out Successor Agency's on specific projects not covered under the administrative costs. The City was informed that the Successor Agency can charge for these costs. The City and Successor Agency have entered into a Cooperative Agreement to reimburse the City for those project costs that include Caltrans condemnation, Hassen Import Partners litigation, City of West Covina vs State of California litigation.

This Cooperative Agreement would follow the Recognized Obligation Payment Schedule six month cycle until the Successor Agency has fulfilled all of its obligations and must be dissolved pursuant to the redevelopment dissolution statutes. The first Recognized Obligation Payment Schedule (ROPS) it will affect is the ROPS 14-15B covering the period from January 1, 2015 through June 30, 2015.

The Cooperative Agreement was approved by the Successor Agency and the City Council on September 16, 2014, it requires approval by the Oversight Board, and then the California Department of Finance. The current budgetary estimate to be reimbursed through the Cooperative Agreement is approximately \$89,500 for the six-month period (January 1, 2015 through June 30, 2015) in order to enable the City to fully recover all cost incurred by the City on behalf of the Successor Agency. The budgetary estimate of \$89,500 includes approximately \$44,300 for rental of office space from the City and approximately \$45,200 for City staff time for work on ROPS approved projects. The rent estimate of \$44,300 is based on the 3,693 square foot office space multiplied by the average rent rate of \$2.00 per square foot per month for a 6-month period. City staff estimate at minimum 10% of staff time (Finance and Successor Agency staff) working on all the projects pertaining to specific projects (Caltrans, Hassen Import Partners Litigation, City West Covina vs. State of California litigation, etc.)

Prepared By:



Paulina Morales  
Project Manager

Attachment:

Attachment No. 1 – Resolution No. OB - 0027

RESOLUTION NO. OB-0027

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF WEST COVINA, AND THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY**

**WHEREAS**, the former West Covina Community Development Commission (also known as the Redevelopment Agency for the City of West Covina) (the "Agency") was a redevelopment agency which was formed, existed and exercised its powers pursuant to California Redevelopment Law, Health and Safety Code section 33000 et seq; and

**WHEREAS**, Assembly Bill 1X 26 and Assembly Bill 1484 were enacted to dissolve the Agency and, pursuant thereto, the City Council for the City of West Covina elected to become the Successor Agency to the Agency (the "Successor Agency"); and

**WHEREAS**, the parties have reached a cooperative agreement to provide the City reimbursement of City costs, which has been approved by the Successor Agency; and

**WHEREAS**, the Successor Agency has submitted said cooperative agreement (the Cooperative Agreement) to the Oversight Board for its review and approval; and

**NOW, THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY HEREBY RESOLVES;**

---

**SECTION 1.** In all respects as set forth in the Recitals of this Resolution.

**SECTION 2.** The Cooperative Agreement is hereby approved in the form approved by the Successor Agency.

**SECTION 3.** The Executive Director, or his designee, hereby is directed to file a copy of this Resolution and any required supporting documentation with the State Department of Finance.

**SECTION 4.** The Oversight Board Secretary shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED on this 24th day of September, 2014

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Carrie Sutkin, Chairperson  
Oversight Board to the Successor Agency  
of the West Covina Redevelopment Agency

ATTEST

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Susan Rush, Secretary  
Oversight Board to the Successor Agency  
of the West Covina Redevelopment Agency

I, SUSAN RUSH, SECRETARY TO OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY, HEREBY CERTIFY that the foregoing resolution was duly adopted by the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency at a special meeting held on the 24<sup>th</sup> of September 2014, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Susan Rush, Secretary  
Oversight Board to the Successor Agency  
of the West Covina Redevelopment Agency

COOPERATIVE AGREEMENT FOR ADVANCEMENT AND REIMBURSEMENT OF  
ADMINISTRATIVE, OVERHEAD, AND OTHER EXPENSES

This COOPERATIVE AGREEMENT FOR ADVANCEMENT AND REIMBURSEMENT OF ADMINISTRATIVE, OVERHEAD, AND OTHER EXPENSES ("Agreement") is entered into as of \_\_\_\_\_, 2014 by and between the City of West Covina ("City") and the Successor Agency for the West Covina Redevelopment Agency ("Agency").

RECITALS:

A. The Agency is required to undertake a number of actions pursuant to Part 1.85 of the Community Redevelopment Law (commencing with Health & Safety Code section 34170) ("Part 1.85"), including winding down the affairs of the former-West Covina Redevelopment Agency ("former-RDA") pursuant to Health & Safety Code section 34177(h).

B. Pursuant to Health & Safety Code section 34171(d)(1)(F), contracts or agreements necessary for the administration or operation of the Agency are enforceable obligations under Part 1.85.

C. Pursuant to Health & Safety Code sections 34178(a) and 34180(h), with the approval of its Oversight Board, the Successor Agency may enter into agreements with the City.

D. In administering and operating the Agency, the Agency has, is, and will utilize the staff, facilities, and other resources of the City.

E. The City Manager of the City serves as the Executive Director of the Agency. Similarly, other staff of the City serves and carries out the various functions of the Agency and such activities require substantial time and resources with respect to the administration and operation of the Agency.

F. By providing the Agency with the staff, facilities, services, and other resources of the City, including, without limitation, consultants, legal counsel, office space, equipment, supplies, and insurance, necessary to the administration and operations of the Agency, the City has advanced and will continue to advance the cost of the forgoing to the Agency.

G. The parties desire to enter into this Agreement to acknowledge the forgoing recitals and to provide an appropriate method of reimbursement of such advances by the Agency to the City.



**NOW, THEREFORE**, for and in consideration of the mutual covenants and conditions contained herein, the parties hereby agree as follows:

Section 1. The recitals set forth above are true and correct and are incorporated herein by this reference.

Section 2. The City shall make available to the Agency its staff, facilities, services, and other resources necessary to the administration and operations of the Agency. This includes, without limitation, consultants, legal counsel, office space, equipment, supplies, and insurance. Legal counsel shall include, but is not limited to, litigation services.

Section 3. The value of City staff, including all employees' retirement and other benefits, facilities, services, and other resources of the City, including, without limitation, office space, equipment, supplies, and insurance necessary to the administration of the Agency made, and to be made, available to the Agency for each six-month fiscal period beginning with the fiscal period from January 1, 2015 to June 30, 2015, and continuing thereafter until the Agency is no longer in existence, determined in accordance with this Agreement hereof, shall constitute an advance to the Agency by the City for each six-month fiscal period, to be repaid in accordance with terms of this Agreement.

Section 4. Following the end of each six-month fiscal period, beginning with the fiscal period January 1, 2015 to June 30, 2015, the City Manager shall prepare and present to the Agency an invoice for the following:

- i. The value of City staff, including all employee retirement and other benefits, based on time records prepared by City staff, which shall describe the time spent on matters related to the administration and operations of the Agency.
- ii. The value of consultants and legal counsel based on invoices for services devoted exclusively to matters related to the administration and operations of the Agency. In listing the costs of legal counsel, the City shall clearly describe the costs associated with litigation.
- iii. The rental value of office space and equipment made available to the Agency by the City.
- iv. The value of supplies, insurance, and other services and facilities provided by City to Agency.

Section 5. Within a reasonable time after the City submits an invoice to the Agency, as described above, the Agency shall pay to the City the amount of the invoice from available funds of the Agency. In the event that there are insufficient funds available to the Agency, any unpaid amounts shall be carried over to the next six-month fiscal period.

Section 6. The parties hereto agree to take all appropriate steps and execute any documents which may reasonably be necessary or convenient to implement the intent of this Agreement.

Section 7. Each party shall maintain books and records regarding its duties pursuant to this Agreement. Such books and records shall be available for inspection by the officers and agents of the other party at all reasonable and mutually agreed upon times.

Section 8. This Agreement shall be governed by the laws of the State of California. Venue for any disputes under this Agreement shall be in a court of competent jurisdiction within Los Angeles County.

Section 9. If any provision of this Agreement is determined by a court of competent jurisdiction to be unenforceable in any circumstance, such determination shall not affect the validity or enforceability of the remaining terms and provisions hereof or of the offending provision in any other circumstance. Notwithstanding the foregoing, if the value of this Agreement, based upon the substantial benefit of the bargain for any party, is materially impaired, which determination made by the presiding court or arbitrator of competent jurisdiction shall be binding, then both parties agree to substitute such provision(s) through good faith negotiations.

Section 10. This Agreement will become effective upon approval of the Oversight Board of the Agency and any other relevant overseeing agency.

Section 11. This Agreement may be amended by written agreement of both parties hereto. Such amendment shall not be effective until the Oversight Board of the Agency, and any other relevant overseeing agency, has approved this Agreement.

[Signatures on the following page]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by and through their respective authorized officers, as of the date first above written.

CITY OF WEST COVINA

SUCCESSOR AGENCY FOR THE WEST COVINA REDEVELOPMENT AGENCY

By: \_\_\_\_\_  
Steve Herfert  
Mayor

By: \_\_\_\_\_  
Steve Herfert  
Agency Board Chairman

ATTEST:

ATTEST:

By: \_\_\_\_\_  
Sue Rush  
Assistant City Clerk

By: \_\_\_\_\_  
Sue Rush  
Assistant Agency Secretary

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Kimberly Hall Barlow  
City Attorney

By: \_\_\_\_\_  
Kimberly Hall Barlow  
Agency Counsel