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

AGENDA

West Covina City Hall City Manager's Conference Room, Room 305 1444 West Garvey Avenue, West Covina, CA 91790

> THURSDAY, FEBRUARY 19, 2015 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
Nickolas Lewis, Board Member
Kelly McDonald, 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. 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*.

REGULAR MEETING

AGENDA

Thursday, February 19, 2015 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 Nickolas Lewis, Board Member Kelly McDonald, 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. CONSENT CALENDAR

All matters listed on the CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the Oversight Board request a specific item to be removed from the Consent Calendar for separate discussion or action.

A. Consideration of the Recognized Obligation Payment Schedule "ROPS" and Successor Agency Administrative Budget Covering the Period of July 1, 2015 through December 31, 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 July 1, 2015 through December 31, 2015:

RESOLUTION NO. OB-0032 – A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY APROVING THE RECOGNIZED

OBLIGATION PAYMENT SCHEDULE ("ROPS") AND SUCCESSOR AGENCY ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 FOR THE PERIOD OF JULY 1, 2015 THROUGH DECEMBER 31, 2015

ACTION ON CONSENT CALE	NDAR
Motion by	second by
to approve all items listed on the	Consent Calendar as presented
except	

V. BUSINESS ITEM(S)

A. Election for the Chairperson and Vice-Chairperson and Designate New Chairperson and Vice-Chairperson

Recommendation

It is recommended that the Oversight Board adopt the following resolution:

RESOLUTION NO. OB-0033 – A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0010, DESIGNATING A CHAIRPERSON, VICE-CHAIRPERSON AND IDENTIFYING ADDITIONAL OVERSIGHT BOARD MEMBERS AND PROVIDING NOTICE TO THE DEPARTMENT OF FINANCE ("DOF") AS REQUIRED BY HEALTH AND SAFETY CODE SECTION 34179

B. Request by Board Member Hertzberg to Define the Role of the Chairperson

Recommendation

It is recommended that the Oversight Board adopt the following resolution:

RESOLUTION NO. OB-0034 – A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0004 TO AMEND THE OVERSIGHT BOARD RULES OF PROCEDURE

C. Request for Update from Board Member Sutkin Requesting an Update on Litigation with the Department of Finance Regarding City/Agency Loans

Recommendation:

It is recommended that the Oversight Board receive and file this report.

VI. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code § 54956.9(d)(1)

City of West Covina v. Hassen Imports Partnership, et al.

Los Angeles Superior Court Case No. KC048157

In re Hassen Imports Partnership, Debtor, United States Bankruptcy Court Case No. 2:11-bk-42068-ER

In re Hassen Imports Partnership, Debtor, United States District Court Case No. 2:13-cv-07532-CAS

VII. REPORTING OUT FROM CLOSED SESSION

VIII. BOARD MEMBERS' COMMENTS

IX. 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, City Manager, either in person in the City Manager's Office at 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: February 19, 2015

TO:

Chairman and Members of the Oversight Board to the Successor Agency

of the West Covina Redevelopment Agency

FROM:

Tom Mauk, Executive Director

BY:

Dennis Swink, Director of Finance

SUBJECT:

CONSIDERATION OF THE RECOGNIZED OBLIGATION

PAYMENT SCHEDULE "ROPS" AND SUCCESSOR AGENCY ADMINISTRATIVE BUDGET COVERING THE PERIOD OF

JULY 1, 2015 THROUGH DECEMBER 31, 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 July 1, 2015 through December 31, 2015.

RESOLUTION NO. OB-0032 – 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 JULY 1, 2015 THROUGH DECEMBER 31, 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 March 3, 2015.

DISCUSSION:

Staff will provide an overview of the ROPS, which includes the Successor Agency Administrative Budget of \$350,655 covering the period of July 1, 2015 through December 31, 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 15-16A 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 15-16A contains not only the summary schedule and the report of prior period adjustments, but the newly required Report of Cash Balances, reconciling ROPS 14-15A and ROPS 14-15B balances of the Successor Agency's funds.

The total amount of funding requested for enforceable obligations from RPTTF on ROPS 15-16A is \$11,688,503 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 #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:

Dennis Swink

Director of Finance

Attachments: Attachment 1 – Resolution OB-0032

Attachment 2 – ROPS 15-16A July 1, 2015 through December 31, 2015 Schedules

Attachment 3 – Administrative Budget for July 1, 2015 through December 31, 2015

RESOLUTION NO. OB-0032

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 JULY 1, 2015 THROUGH DECEMBER 31, 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 July 1, 2015 through December 31, 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 sixmonth period of July 1, 2015 through December 31, 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.

<u>SECTION 5</u>. The Oversight Board Secretary shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED on this 19th day of February, 2015.

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

ATTEST

Rosalia Conde, 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 19th day of February by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rosalia Conde, Secretary Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

Recognized Obligation Payment Schedule (ROPS 15-16A) - Summary Filed for the July 1, 2015 through December 31, 2015 Period

Name	Name of Successor Agency: West Covina	
Name	• •	
Curre	Current Period Requested Funding for Outstanding Debt or Obligation	Six-Month Total
∢	Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding Sources (B+C+D):	\$ 2,694,950
മ	Bond Proceeds Funding (ROPS Detail)	
O	Reserve Balance Funding (ROPS Detail)	1
Ω	Other Funding (ROPS Detail)	2,694,950
ш	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 12,039,158
ш	Non-Administrative Costs (ROPS Detail)	11,688,503
ഗ	Administrative Costs (ROPS Detail)	350,655
I	Current Period Enforceable Obligations (A+E):	\$ 14,734,108
Succe	Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
	Enforceable Obligations funded with RPTTF (E):	12,039,158
7	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(1,262,652)
¥	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 10,776,506
Count	County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding	
	III Enforceable: Obligations funded with RPITIFE (E): M. Liess Prior Beriod Adjustment (Report of Prior Period Adjustments Column AA):	12,039,158
Z	IN Adjusted Current Period RPITIF Requested Funding (L.M.)	12,039,158
Certifí Pursua hereby Obliga	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.	Title
	Signature	Date

Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail July 1, 2015 through December 31, 2015 (Report Amounts in Whole Dollars)

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Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail July 1, 2015 through December 31, 2015 (Report Amounts in Whole Dollars)

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Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail July 1, 2015 through December 31, 2015 (Report Amounts in Whole Dollars)

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												Funding Source			
								-		Non-Redevelop	Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)	< Trust Fund	RPTTF	E.	
fem #	Project Name /	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area		Retired Bo	Bond Proceeds Re	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total
	8	Ħ	1/1/2014		City of West Covina	Citywide Lighting & Landscape Maint District #2	Merged	16,500	z			-	16,500		\$ 16,500
9	61 AB 1484 Auditing Fees	Dissolution Audits	9/10/2012	6/30/2016	White Nelson Diehl Evans	AB 1484 Auditing Fees Jul-Dec 2012	Merged		z						\$
	62 Anticipated/Existing Litigation	Litigation			Blank Rome LLP	Enforcement of judgments/obligations (assisting Squire Sanders)	Merged	42,000					7,500		\$ 7,500
	63 Anticipated/Existing Litigation	Litigation	6/1/2013	6/30/2016	Blank Rome LLP		Merged		z	;					€9
	64 Anticipated/Existing Litigation	Litigation	6/1/2013	6/30/2016	Blank Rome LLP	Enforcement of judgments/obligations Jul-Dec 2012	Merged		z	:					₩
	Weeks DDA-Thellakes		OPWIDDA/Constructi 6/26/1987	6/30/2038:	Gateway Grescent, LLIG	Allocated bondicosts:&fmaintenancess Mergedss:sepsilonspark.structures!an=Jun;2013完全等	Merged :: The state of the stat		N. N.						€9
	66 Anticipated/Existing Lingation Comment	Litigation	11tigation Name 3/16/2006 1811 1815	6/30/2016212555	Squire:Sanders;&:Demosey	Enforcement of Indoments/obligations:	Werged	Nasi	N						69
)	67 Project Administrative Costs	Project Management 9/27/2011 Costs	9/27/2011	6/30/2016	Rincon Environmental LLC	Project specific related costs for environmental land use consulting for BKK Landfill	Merged	50,000	z				000'08		\$ 30,000
	68 City of West Covina vs. State of California	Litigation	2/1/2011	6/30/2016	Alvarez-Glasman Colvin	Enforcement of judgments/obligations	Merged		z						-
الا	69 Caltrans Eminent Domain		2/1/2014		Alvarez-Giasman Colvin		Merged	40,000	z				40,000		
	70 Hassen Imports Partners 71 City of West Covina vs. State of	Litigation		6/30/2016	Jones & Mayer	Enforcement of judgments/obligations	Merged	10,000	zz				10,000		\$ 10,000
	California 79 Caltene Eminant Domain	litication	2/1/2014	6/30/2016	Jones & Maver	Enforcement of judgments/obligations	Merged	20,000	z				20,000		\$ 20,000
	73 Loan Adreement Services	Unfundeditiabilities	9/16/2014	6/30/2016	City of Westi Covina	ReimbursementofadvancedisA			l N						6
	Coperative Agreement	Unfundeditiabilities	9//6/20/4	6/30/2016	Otly of West Covina:	mente Untindeditiabilities 9/16/2014/			Z						\$
	75 Anticipated/Existing Lingation	Litigation	7/18/2000	6/30/2016	Alvarez-Glasman.©ölvin	Enforcement of judgments fobligations:		Z	Z						65
	1276 Loan's greenenters	Umunded (Liabilities :	9/16/2014	6/30/2016年第	City of West Covinate 18	Reimbursement of advanced: SA section (SA section)		Z	Z						69
	77 Housing Successor Admin	Housing Entity Admin Cost	TO THE PARTY OF TH		Housing Successor Agency	AB 471 - Housing Admin	Merged	150,000	z				150,000		\$ 150,000
	78 Anticipated/Existing Litigation	Litigation			Jones & Mayer	Eastland Land use matters	Merged	10,000	2 2				10,000		
a	79 Anticipated/Existing Litigation	Litigation			Jones & Mayer Glenn Block	obligations	Merged	80,000	zz				15,000		80,000
	81 Anticipated/Existing Litigation	Litigation			Alvarez-Glasman Colvin	•	Merged	15,000	z				15,000		
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Recognized Obligation Payment Schedule (ROPS 15-16A) - Report of Cash Balances (Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (I), 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/paf/cash Balance Agency Tips Sheet.pdf.

	8	O	Q	Ш	Ŀ	Ø	Ŧ	
l			,	Fund Sources	urces			
		Bond P	Bond Proceeds	Reserve	Reserve Balance	Other	RPTTF	
		penssi spuog	Bonds Issued	Prior ROPS period balances and DDR RPTTF	Prior ROPS RPTTF distributed as	Rent,	Non-Admin	
	Cash Balance Information by ROPS Period	on or before 12/31/10	on or after 01/01/11	balances retained	reserve for future period(s)	Grants, Interest, Etc.	and Admin	Comments
%	ROPS 14-15A Actuals (07/01/14 - 12/31/14)							The state of the s
-	Beginning Available Cash Balance (Actual 07/01/14)	7,381,414				1	2,715,498	RPTTF est to be PPA 14-15A plus PPA 14-15B
64	Revenue/Income (Actual 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014			·		3,749,838	5,711,917	
<u>г</u>	Expenditures for ROPS 14-15A Enforceable Obligations (Actual 12/31/14) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q					3,749,838	5.867,473	
4	Retention of Available Cash Balance (Actual 12/31/14) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)							
ro.	ROPS 14-15A RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15A PPA in the Report of PPA, Column S			No entry required			1,262,652	
9	Ending Actual Available Cash Balance C to G = (1+2-3-4), H = (1+2-3-4-5)	\$ 7,381,414	СР	φ	ι (v»	\$ 1,297,290	
- 22	ROPS 14-15B Estimate (01/01/15 - 06/30/15)							
7	Beginning Available Cash Balance (Actual 01/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 7,381,414	ι (· ·	С	1 43-	\$ 2,559,942	
∞	Revenue/Income (Estimate 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015						3,661,380	3,661,380 Jan 2, 2015 RPTTF Remittance
ക	 						4,017,317	4,017,317 From County 1/2/15 RPTTF Remittance
10	O Retention of Available Cash Balance (Estimate 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)			-				
F	11 Ending Estimated Available Cash Balance (7 + 8 - 9 -10)	\$ 7,381,414	€	, 44	· •	С	\$ 2,204,005	

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186 (a)	ount of nudit by the	w		Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPE 15-16A Requested RPTTF)	Het Diference	1,262,652	•	-	233,595	54,058			292,441		75,661	-		•		•	•		300,000	•						•	•	•	•	•	•.		
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Recognized Obligation Payment Schedule (ROPS 15-15A) - Report of Prior Period Adjustme Reported for the ROPS 14-15A (July 1, 2014 through Secendar 31, 2014) Period Pussent to Health and Safety Code (Report Amounts in Whole Quiess)	y thraugh December ments self-reported b	a			of Actual	,000 \$ 338,229				-											-																
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	d to report the differs s self-reported ROP	-			Avallable RPTTF (ROPS 14-15A distributed + all other available os of mytert as	1 000	799.576 \$	336,004 \$	605,478 \$	54,058 \$	190,000 \$	1,464,500 \$	1,702,014 \$		\$ 000'02	. 32 200	e pos'ir	10,000 \$				* 'v					•	'		1	•		•			'	
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	ROPS 14-15A Successor Agency (SA) Self-reported Prior Period Adjustments (PPA); Dursuan to IHSC Section 24188 (a). SAs are nequired to report the differences between their actual available funding and their actual expanditures for the ROPS 14-15A (July through December 2014) period. The amount of Reportment PROPS 14-15A (July through December 2015) period will be offset by the SA's self-reported ROPS 14-15A prior period adjustment HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to auch by the SA's self-reported ROPS 14-15A prior period adjustment HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to auch by the SA's self-reported ROPS 14-15A prior period adjustments self-reported by SAs are subject to auch by the SA's self-reported ROPS 14-15A prior period adjustments self-reported by SAS are subject to auch by the SA's self-reported ROPS 14-15A prior period adjustments self-reported by SAS are subject to auch by the SAS self-reported ROPS 14-15A prior period adjustments self-reported by SAS are subject to auch by the SAS self-reported ROPS 14-15A prior period adjustments self-reported by SAS are subject to auch self-reported by SAS and SAS self-reported ROPS 14-15A prior period adjustment self-reported by SAS are subject to auch self-reported by SAS and SAS self-reported ROPS 14-15A prior period adjustment self-reported by SAS are subject to auch self-reported by SAS and SAS self-reported by SAS are subject to auch self-reported by SAS and SAS self-reported by SAS are subject to a self-reported by SAS and SAS self-reported by SAS are subject to a self-reported by SAS and SAS self-reported by SAS are subject to a self-reported by SAS and SAS self-reported by SAS and SAS self-reported by SAS are subject to a self-reported by SAS and SAS self-reported by SAS and SAS self-reported by	4 A			Project Name	nem # Debi Coligation	2 2002 Tax Allocati 3 2005 Leave	Revenues Bonds 4 1998 Housing Se.	5 2001 Housing Sel Aside Bonds	Housing Loan 7 SERAF 2011	Housing Loan 8 DDA - The Lakes	9 CFD Tax Increms Pledge	10 CSS - CFD 11 Repay County Lo.	12 SA Administrative Budget	13 City Cooperative Auteement 14 Anticipated/Existi	Litigation	15 Anircipaled/Exiting Litigation	18 Anleipated/Existing Litigation	17 Ankolpaled/Existing	18 Project Administrative Co.	19 AB 1484 Audiling Fees	20 Oversight Board Legal Services	Land Services 22 Property	Management Plan 23 City Note -	24 City Note - CIP 25 City Note Revolvis	25 Sales Tax Reimbursomen	27 Golf Course Agreement	Refunding Bonds 29 1988 Leane Rev	30 OPA - CFD	31 Anliefpated/Exist. Litigation	32 Anichated Existing Litigation	33 Anicipated/Existing Litigation	34 Anicipated@xisting	35 Anicipated/Existing Litigation	35 Anterpated/Existing	37 Anticipated/Existing Lhigation	38 Anicipated/Existing Litigation

SA Comments Net Difference (M+R) 44,732 5,440 5,000 114,020 1,262,652 Recognized Obligation Payment Schedule (ROPS 15-18A). Report of Prior Period Adjustments Reported for the ROPS 14-15A (July 1, 2014 through Desember 17, 2014) braids naturant to Health and Safety Code (HSC) section 3419E (a) Report Amounts in Whole Dollars) Difference
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7250 ROPS 14-15A Successor Agency (SA) Self-reported Prior Period Adjustments (PPA); Pursuant to HSC Section 24185 (a), SAs are required to report the differences between their actual anniates for the ROPS 14-15A (July through December 2014) period. The amount of ROPS 14-15A prior period adjustment HSC Section 34185 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the country auditor-controller. 7,250 7,750 15,000 15,000 15,000

Item #	Recognized Obligation Payment Schedule (ROPS 15-16A) - Notes July 1, 2015 through December 30, 2015
9#	No SERAF payment was made (in 14-15A), but the Successor intends to make SERAF payments during 15-16A. No SERAF payment was made (in 14-15A), but the Successor intends to make SERAF payments during 15-16A.
#28	The Successor anticipates needing \$1,200,000 of RPTTF to fund the obligation during this ROPS period.
#50	The Successor plans to make a lump-sum payment to CalPERS for the unfunded retirement obligation. On the Cash Balances - line 1 RETTE is the 14-15A and 14-15B PPA \$2 715 498. The Successor will investigate whether any changes are needed.
#177	
#78	Legal fees associated with anticipated litigation over Eastland land use.
#19	Legal fees associated with anticipated litigation regarding the BKK landfill.
08#	Legal fees associated with eminent domain actions for the Plaza and Lakes.
#81	Legal fees associated with redevelopment dissolution matters.

ATTACHMENT 3

SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY ADMINISTRATIVE BUDGET July 1, 2015 to December 31, 2015

	Annual	July - Dec
	Amount	2015
Salaries & Benefits	259,700	144,850
Maintenance & Operation	ıs	
Consultants	70,000	67,200
Legal Fees	108,500	101,455
Phone	1,010	1,000
Cell Phone	800	500
Supplies	4,911	3,650
Meetings	2,500	2,500
Overhead	53,680	27,000
Liability Insurance	5,000	2,500
Subtotal		
Total Budget	506,101	350,655

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

AGENDA REPORT
Item No. V-A

Date: February 19, 2015

TO:

Chairperson and Board Members of the Oversight Board to the Successor

Agency of the West Covina Redevelopment Agency

FROM:

Tom Mauk, Interim Executive Director

BY:

Paulina Morales, Senior Project Manager

SUBJECT:

ELECTION FOR THE CHAIRPERSON AND VICE-CHAIRPERSON AND

DESIGNATE NEW CHAIRPERSON AND VICE-CHAIRPERSON

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-<u>0033</u> - A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0010, DESIGNATING A CHAIRPERSON, VICE-CHAIRPERSON AND IDENTIFYING ADDITIONAL OVERSIGHT BOARD MEMBERS AND PROVIDING NOTICE TO THE DEPARTMENT OF FINANCE ("DOF") AS REQUIRED BY HEALTH AND SAFETY CODE SECTION 34179

DISCUSSION:

On December 4, 2014 the Oversight Board voted to amend the Oversight Board's Bylaws to incorporate an annual election process for the Chairperson and Vice-Chairperson.

Pursuant to the adopted Resolution OB-0029 the annual election is to be held in January of each year. As the January 2015 meeting was cancelled this is the first Oversight Board meeting since the Resolution for the rotation was adopted.

The Rules and Procedures of the Oversight Board state that any action or motion of the board shall require four affirmative votes. The current Chairperson shall open nominations for the Chairperson and Vice-Chairperson positions. Once a new Chairperson and Vice-Chairperson are designated a resolution will need to be adopted to reflect the newly appointed officers.

Prepared By:

Paulina Morales

Senior Project Manager

Attachment:

1. Resolution No. OB-00__ - Designation of Chairperson and Vice-Chairperson

ATTACHMENT NO. 1

RESOLUTION NO. OB-00

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0010, DESIGNATING A CHAIRPERSON, VICE-CHAIRPERSON AND IDENTIFYING ADDITIONAL OVERSIGHT BOARD MEMBERS AND PROVIDING NOTICE TO THE DEPARTMENT OF FINANCE ("DOF") AS REQUIRED BY HEALTH AND SAFETY CODE SECTION 34179

WHEREAS, California Health and Safety Code Section 34179 requires that each Successor Agency have an Oversight Board: and

WHEREAS, Section 34179 further requires that the members of the Oversight Board elect one of their members as the chairperson. In the event that the Chairperson is not available to attend a meeting or perform an obligation required of the Chairperson, it is prudent to also elect a Vice Chairperson who is authorized to act in the absence of the Chairperson; and

WHEREAS, Section 34179 also requires that an Oversight Board transmit the names of its Chairperson and members to the Department of Finance; and

WHEREAS, the Oversight Board has previously adopted Resolution No. OB 0001 identifying the names of the Oversight Board Members and the Chairperson and Vice-Chairperson; and

WHEREAS, since the adoption of Resolution No. OB-0010, the Oversight Board has voted to incorporate a rotation process for the Chairperson and the Vice Chairperson. In addition, since then the Vice-Chairperson Michael Touhey and Mike Lee have resigned; and,

WHEREAS, the following appointments have therefore been made:

Robert R. Coghlan, Representative for the County Superintendent of Education
David Stewart, member appointed by the Mayor
Kelly McDonald, member appointed by the Mayor

NOW THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY HEREBY RESOLVES:

	SECTION 1.	The Chairperson	of the Oversight	Board shall	be	
The	Vice Chairperson	shall be	•			

<u>SECTION 2.</u> The Successor Agency staff is hereby directed to transmit a copy of this resolution identifying the replacement appointees and Chairperson and Vice Chairperson to the State Department of Finance.

SECTION 3. The Oversight Board Secretary shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED on this 19th day of February, 2015.

Chairperson Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

ATTEST

Rosalia Conde, 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 a special meeting held on the 19th day of February by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Rosalia Conde, Secretary
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

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

AGENDA REPORT

Item No. V-B Date: February 19, 2015

TO:

Chairperson and Board Members of the Oversight Board to the Successor

Agency of the West Covina Redevelopment Agency

FROM:

Tom Mauk, Interim Executive Director

BY:

Paulina Morales, Senior Project Manager

SUBJECT:

REQUEST BY BOARD MEMBER HERTZBERG TO DEFINE THE ROLE

OF THE CHAIRPERSON

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-0034 - A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0004 TO AMEND THE OVERSIGHT BOARD RULES OF PROCEDURE

DISCUSSION:

On May 1, 2014, the Oversight Board voted to bring back a Resolution to consider amending the Oversight Board's Bylaws requiring the Chairperson's approval of the final agenda and to establish or cancel meetings. While the Board's direction is to bring back an amendment of the Bylaws for consideration, the appropriate document to address this change is the Rules of Procedure of the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency.

On April 19, 2012, the Oversight Board adopted Resolution No. OB-0004 establishing the Rules of Procedure. Below are the excerpts from the Rules of Procedure pertaining to the proposed changes:

ARTICLE 1 – MEETINGS

Section 1. Regular Meetings

The day, time and location of the regular meetings of the Oversight Board shall be determined by the Oversight Board and approved by resolution. The meetings will be held at the West Covina City Hall, 1444 West Garvey Avenue, West Covina, California. In the event a regular meeting falls on a legal holiday, said meeting shall be held on the next business day unless otherwise determined by the Oversight Board.

Section 2. Special Meetings

The Chairperson of the Oversight Board may, when he or she deems it necessary, and shall, upon the written request of four members of the Oversight Board, call a special meeting of the Oversight Board for the purpose of transacting the business designated in the call. The means and method for calling such special meeting shall be as set forth in the Ralph M. Brown Act, California Government Code Section 54950 et seq., as it now exists or may hereafter be amended (the "Brown Act").

Section 5. Order of Business

(b) <u>Preparation of Agenda:</u> The Executive Director of the Successor Agency or his designee shall be responsible for the preparation of the Agenda. The Executive Director shall have the ability to place items on the agenda deemed necessary for consideration by the Oversight Board.

Any requests by Oversight Board Members for reports, studies or investigations that are not readily available must be placed on the Oversight Board Agenda as items of business and must be approved by a majority vote of the Oversight Board. Such Board Member's request can either be made directly to the Executive Director or at an Oversight Board meeting under "Board Members' Comments" section of the Agenda. Upon receiving a request, the Executive Director, or his designee shall prepare and place on a future agenda, a staff report stating the request made by the Board Member for Oversight Board consideration. If approved by majority vote, the Executive Director shall then prepare the requested matter (i.e. report, study or investigation) and if necessary or requested, subsequently place the matter on a future Agenda for discussion and consideration.

On April 19, 2012 the Oversight Board adopted Resolution OB-0002 establishing the date, time and location of the Oversight Board meeting. The resolution stated that the Chairperson or four (4) members of the Board may call a special meeting (Attachment No. 1). At the same meeting the Oversight Board adopted the Rules of Procedure, which state a special meeting may be called by the Chairperson and with the written request of four (4) members of the Oversight Board. As there a discrepancy, staff recommends amending the Rules of Procedure to address the intent of the Board's original resolution and allow the Chairperson or four (4) board members the ability to call for a special meeting.

Pursuant to the May 1, 2014 Board meeting, the Board voted to consider giving the Chairperson the ability to cancel meetings. Currently the Executive Director cancels the meetings when there is no business for the Board to conduct or a lack of quorum. The request will need clarification as both the Chairperson and Executive Director will have the ability to cancel a meeting.

Under the current Rules of Procedure, the Chairperson along with Board Members are able to place items on the agenda by making a request to the Executive Director or at a Board meeting. The Board member's requested item is placed on the agenda by the Executive Director for a future meeting. The Executive Director may also place items on the agenda when deemed necessary for consideration by the Board and has final approval of the agenda.

The proposed revisions would require that the Executive Director discuss the draft Agenda with the Chairperson prior to finalizing it and allow a Board Member to propose an item for consideration at a future meeting, subject to approval by a majority of the Board. If the Board wishes to give the Chairperson the independent right to add items to the draft agenda, that modification may be made at the Board meeting.

Pursuant to the Board's direction at the May 1, 2014 meeting, staff has amended the Rules of Procedures amending Article 1 – Meetings Section 2 and 5. The recommended changes are italicized.

ARTICLE 1 – MEETINGS

Section 2. Special Meetings

The Chairperson of the Oversight Board or four (4) board members, may, when deemed necessary, call a special meeting of the Oversight Board for the purpose of transacting the business designated in the call. The means and method for calling such special meeting shall be as set forth in the Ralph M. Brown Act, California Government Code Section 54950 et seq., as it now exists or may hereafter be amended (the "Brown Act").

Section 5. Order of Business

(b) <u>Preparation of Agenda:</u> The Executive Director of the Successor Agency or his designee shall be responsible for the preparation of the Agenda. The Executive Director shall have the ability to place items on the agenda deemed necessary for consideration by the Oversight Board. *Prior to finalizing the agenda, the Executive Director shall review the agenda with the Chairperson.*

Any requests by Oversight Board Members for reports, studies or investigations that are not readily available must be placed on the Oversight Board Agenda as items of business and must be approved by a majority vote of the Oversight Board. Such Board Member's request can either be made directly to the Executive Director or at an Oversight Board meeting under "Board Members' Comments" section of the Agenda. Upon receiving a request, the Executive Director, or his designee shall prepare and place on a future agenda, a staff report stating the request made by the Board Member for Oversight Board consideration. If approved by majority vote, the Executive Director shall then prepare the requested matter (i.e. report, study or investigation) and if necessary or requested, subsequently place the matter on a future Agenda for discussion and consideration.

(c) <u>Agenda Items Added By Oversight Board Members</u>: Any member of the Oversight Board may propose at the conclusion of any Board meeting that an item be placed for consideration by the Board at a future meeting. Upon concurrence of a majority of the Board (4 affirmative votes), such item shall be placed on a future Board agenda.

Any amendments to the Rules of Procedure require a vote of the majority of the board members. It is important to note that a 7-day written notice to all board members is required prior to making any amendments to the Rules of Procedure. The Oversight Board members have been provided notice.

Prepared By:

Senior Project Manager

Attachment:

Resolution No. OB-0002 – Establishing Date, Time, and Location of Meetings
 Resolution No. OB-00 – Amended Rules of Procedure

ATTACHMENT NO. 1

RESOLUTION NO. OB-0002

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY ESTABLISHING THE DATE, TIME AND LOCATION OF OVERSIGHT BOARD MEETINGS

WHEREAS, the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency ("Oversight Board") has met and conferred to determine a date, time and location for Oversight Board meetings.

NOW THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY HEREBY RESOLVES:

SECTION 1. The Oversight Board will meet on the first Thursday of the month at 4:00 p.m. beginning Thursday, May 3, 2012 and the meetings shall be open to the public. Meetings may be adjourned by the presiding officer or by the Secretary if a quorum is not present.

SECTION 2. The location of the Oversight Board meetings shall be at West Covina City Hall, 1444 W. Garvey Avenue, West Covina California.

SECTION 3. Special meetings may be called by the Chairperson or by four (4) board members, and notice thereof shall be provided in accordance with the Brown Act.

SECTION 4. The Successor Agency Secretary shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED on this 19th day of April, 2012.

Fernando Oliveros, Chairperson

Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

ATTEST

Susan Rush, Secretary

Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

Page Two Resolution No. 0002

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 a special meeting held on the 19th day of April by the following vote:

AYES:

Escobedo, Gregoryk, Lee, Morales, Touhey, Oliveros

NOES:

None

ABSENT:

Bastin

ABSTAIN:

None

Susan Rush, Secretary

Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

ATTACHMENT NO. 2

RESOLUTION NO. OB -00

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE WEST COVINA REDEVELOPMENT AGENCY AMENDING RESOLUTION NO. OB-0004 TO AMEND THE OVERSIGHT BOARD RULES OF PROCEDURE

WHEREAS, Assembly Bill X1 26 (ABX1 26) provides that successor agencies be designated as successor entities to the former redevelopment agencies, and provides that, with certain exceptions, all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies, under Community Redevelopment Law, are vested in the successor agencies; and

WHEREAS, On January 10, 2012, in accordance with Health and Safety Code Section 34173, the City Council of the City of West Covina adopted Resolution 2012-1 electing to be the successor agency to the City of West Covina; and

WHEREAS, ABX1 26 provides that each successor agency shall have an oversight board; and,

WHEREAS, On April 19, 2012, the Oversight Board for the Successor Agency to the City of West Covina Redevelopment Agency was formally formed.

WHEREAS, On April 19, 2012, the Oversight Board for the Successor Agency to the City of West Covina Redevelopment Agency approved Resolution No. OB-0004 adopting the Oversight Board Rules of Procedure.

NOW THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE WEST COVINA REDEVELOPMENT AGENCY HEREBY RESOLVES:

SECTION 1. The Board hereby amends the Oversight Board Rules of Procedures to amend the following text in Article I – Meetings:

Section 2. Special Meetings

The Chairperson of the Oversight Board or four (4) board members, may, when deemed necessary, call a special meeting of the Oversight Board for the purpose of transacting the business designated in the call. The means and method for calling such special meeting shall be as set forth in the Ralph M. Brown Act, California Government Code Section 54950 et seq., as it now exists or may hereafter be amended (the "Brown Act").

Section 5. Order of Business

(b) <u>Preparation of Agenda:</u> The Executive Director of the Successor Agency or his designee shall be responsible for the preparation of the Agenda. The

Executive Director shall have the ability to place items on the agenda deemed necessary for consideration by the Oversight Board. Prior to finalizing the agenda, the Executive Director shall review the agenda with the Chairperson.

Any requests by Oversight Board Members for reports, studies or investigations that are not readily available must be placed on the Oversight Board Agenda as items of business and must be approved by a majority vote of the Oversight Board. Such Board Member's request can either be made directly to the Executive Director or at an Oversight Board meeting under "Board Members' Comments" section of the Agenda. Upon receiving a request, the Executive Director, or his designee shall prepare and place on a future agenda, a staff report stating the request made by the Board Member for Oversight Board consideration. If approved by majority vote, the Executive Director shall then prepare the requested matter (i.e. report, study or investigation) and if necessary or requested, subsequently place the matter on a future Agenda for discussion and consideration.

(c) <u>Agenda Items Added By Oversight Board Members</u>: Any member of the Oversight Board may propose at the conclusion of any Board meeting that an item be placed for consideration by the Board at a future meeting. Upon concurrence of a majority of the Board, such item shall be placed on a future Board agenda.

SECTION 2. The Oversight Board Secretary shall certify to the adoption of this resolution.

APPROVED AND ADOPTED on this 19th day of February, 2015.

Chairperson
Oversight Board to the Successor Agency
of the West Covina Redevelopment Agency

ATTEST

Rosalia Conde, 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 by the Oversight Board to the Successor Agency of the West Covina Redevelopment Agency at a special meeting held on the 19th day of February by the following vote:

AYES: NOES: ABSENT: ABSTAIN:

> Rosalia Conde, Secretary Oversight Board to the Successor Agency of the West Covina Redevelopment Agency

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

AGENDA REPORT

Item No. V-C

Date: February 19, 2015

TO:

Chairperson and Board Members of the Oversight Board to the Successor

Agency of the West Covina Redevelopment Agency

FROM:

Tom Mauk, Interim Executive Director

BY:

Paulina Morales, Senior Project Manager

SUBJECT:

REQUEST FOR UPDATE FROM BOARD MEMBER SUTKIN

REQUESTING AN UPDATE ON LITIGATION WITH THE DEPARTMENT

OF FINANCE REGARDING CITY/AGENCY LOANS

RECOMMENDED ACTION:

It is recommended that the Oversight Board receive and file this report.

DISCUSSION:

Pursuant to the Oversight Board's Rules of Procedure, Board member Sutkin is requesting to agendize an update on the litigation between the City of West Covina/Successor Agency v. Matosantos. Oversight Board Counsel will provide an update at the Board meeting.

Prepared By:

Paulina Morales

Senior Project Manager