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AGENDA
KERMAN REDEVELOPMENT
SUCCESSOR AGENCY OVERSIGHT BOARD
REGULAR MEETING
Kerman City Hall
850 S. Madera Avenue
September 16, 2015
6:00 PM

AGENDA PACKET AVAILABLE FOR
REVIEW 72 HOURS PRIOR TO
THE AGENCY MEETING AT
THE CITY CLERK'S OFFICE AND
ON THE CITY WEBSITE
ITEMS RECEIVED AT THE
MEETING WILL BE AVAILABLE
FOR REVIEW AT THE CITY
CLERK'S OFFICE

CHAIRMAN
Stephen Hill

BOARD MEMBERS

Charlie Jones Robert Frausto
Kevin Nehring John Kunkel

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

1. AGENDA APPROVAL

2. CONSENT CALENDAR

A. MINUTES

RECOMMENDATION: Members approve minutes as presented.

ATTACHMENTS: [April 15, 2015](#)

B. TREASURER'S REPORT

Warrant Nos 1428 - 1434 \$197,155.54

RECOMMENDATION: Members approve warrants as presented.

ATTACHMENTS: [Warrants](#)

3. ORDER OF BUSINESS

A. Resolution Approving the Recognized Obligation Payment Schedule for the Period of
January 1, 2016 Through June 30, 2016 (ROPS 15-16B) (TJ)

RECOMMENDATION: Board by motion adopt resolution for the Recognized Obligation
Payment Schedule (ROPS) for the period of January 1, 2016 through June 30, 2016.

ATTACHMENTS: [Staff Report - ROPS 15-16B](#)

4. ADJOURNMENT



**SPECIAL MEETING
MINUTES**

**KERMAN REDEVELOPMENT
SUCCESSOR AGENCY OVERSIGHT BOARD**

REGULAR MEETING
Kerman City Hall
850 S. Madera Avenue
Wednesday, April 15, 2015
6:00 PM

CHAIRMAN
Stephen B. Hill
BOARD MEMBERS
Robert Frausto
Charlie Jones
Kevin Nehring
Luis Patlan

CALL TO ORDER	6:04 p.m.
ROLL CALL	All present except RF
PLEDGE OF ALLEGIANCE	Performed
A. AGENDA APPROVAL	Approved CJ/KN (4-0-1) RF
B. MINUTES – February 18, 2015	Approved CJ/KN (4-0-1) RF
<u>RECOMMENDATION:</u> Members approve minutes as presented.	
C. ORDER OF BUSINESS	
1. AGENCY TREASURER’S REPORT: Board Approve Warrant No's 1429 - 1430 \$56,315.52	Approved CJ/KN (4-0-1) RF
<u>RECOMMENDATION:</u> Members approve warrants as presented.	
2. Consideration of Offer to Purchase Property Located at 551 S. Ninth Street, Kerman CA [TJ]	Approved CJ/KN (4-0-1) RF
<u>RECOMMENDATION:</u> Board by motion adopt resolution accepting full-price offer of \$35,000 for the vacant lot located at 551 S Ninth Street acquired by the former Kerman Redevelopment Agency and authorize staff to execute the sales agreement and any related documents to finalize the sale.	Res OB 15-01
D. ADJOURNMENT	Approved KN/CJ (4-0-1) RF

Successor Agency
Check Detail

Check #	Date	Payee	Amount
1428		Void	-
1429	3/11/2015	State Controllers Office	6,315.52
1430	3/11/2015	City of Kerman	50,000.00
1431	6/11/2015	County of Fresno	31,992.50
1432	8/26/2015	City of Kerman	44,478.00
1433	8/26/2015	State Controllers Office	6,315.52
1434	8/26/2015	City of Kerman	58,054.00
		Total Checks	<u>197,155.54</u>



City of Kerman

"Community Comes First"

CHAIRMAN
Steven B. Hill

BOARD MEMBER
John Kunkel

BOARD MEMBER
Robert Frausto

BOARD MEMBER
Charles Jones

BOARD MEMBER
Kevin Nehring

DEPARTMENT: OFFICE OF THE TREASURER
STAFF REPORT
OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO
THE KERMAN REDEVELOPMENT AGENCY
MEETING DATE: SEPTEMBER 16, 2015

To: Chairman and Agency Members
From: Toni Jones, Treasurer
Subject: Resolution Approving the Recognized Obligation Payment Schedule for the period of January 1, 2016 through June 30, 2016 (ROPS 15-16B)

RECOMMENDATION

Board by motion adopt resolution approving the Recognized Obligation Payment Schedule for the period of January 1, 2016 through June 30, 2016 (ROPS 15-16B).

EXECUTIVE SUMMARY

In accordance with AB 1484 the Successor Agency to the Kerman Redevelopment Agency is required to submit the Recognized Obligation Payment Schedule (ROPS) for the period of January 1, 2016 through June 30, 2016 (ROPS 15-16B) to the Department of Finance by October 1, 2015.

The attached ROPS 15-16B schedules request \$50,000 for Successor Agency Administrative Costs and \$6,316 for Non-Administrative Costs. The Non-Administrative Costs of \$6,316 is for the REDIP Loan Payment obligation that will be due during the ROPS 15-16B period. As the Successor Agency functions are winding down the Administrative costs are decreasing. Administrative Costs for ROPS 15-16A was \$50,000 combined with \$50,000 for ROPS 15-16A for a total of \$100,000 for fiscal year 2015-2016.

OUTSTANDING ISSUES

None.

DISCUSSION

Assembly Bill 1X 26 (Stats. 2011, 1st Ex. Sess., chap. 5) added a new Part 1.85 to Division 24 of the California Health and Safety Code (Health and Safety Code Section 34170 *et seq.*), which was subsequently modified by the California Supreme Court in *California Redevelopment Association v. Matosantos* (2011) 53 Cal.4th 231 and by Assembly Bill 1484 (Stats. 2012, chap. 26) (the "Dissolution Act"). In accordance with the Dissolution Act, all redevelopment agencies in the State of California, including the Kerman Redevelopment Agency (the "former Redevelopment Agency"), were dissolved as of February 1, 2012. Also on that date, all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Redevelopment Agency were transferred to the Successor Agency to the Former Kerman RDA ("Successor Agency").

The Successor Agency is required by Section 34177(l) of the Dissolution Act to adopt a Recognized Obligation Payment Schedule ("ROPS") for each six-month fiscal period. The ROPS 15-16B for the January to June 2016 period is due by October 1, 2015. The July 1 through December 31, 2015 ROPS (ROPS 15-16A) was approved by the Oversight Board on March 5, 2014 and the Department of Finance on March 27, 2015.

The ROPS functions as the Successor Agency's claim for tax increment, and general authorization, to pay enforceable obligations. It lists the outstanding obligations of the former Redevelopment Agency for which payments are required during that period of time. The Successor Agency may only pay, and will only be allocated tax increment by the County Auditor-Controller for the payment of obligations listed on the ROPS. Obligations that will be funded by other sources, such as existing fund balances, must also be listed on the ROPS.

The ROPS prepared by the Successor Agency for the period of January 1, 2016 through June 30, 2016 ("ROPS 15-16B") is attached to the resolution accompanying this staff report.

ROPS Approval Procedure

Assembly Bill 1484 made certain adjustments and additions to the Dissolution Act's procedure for the adoption of a ROPS.

Following the Oversight Board's approval of the ROPS, the Successor Agency must submit it to the County Auditor-Controller, the State Controller and the State Department of Finance ("DOF"), and post it on the Successor Agency's web site.

The DOF shall make its determination of the enforceable obligations and the amounts and funding sources of the enforceable obligations no later than 45 days after ROPS 14-15B is submitted. Section 34177(m) provides for a meet-and-confer period if the Successor Agency disputes the DOF's determinations.

Subdivision (m) of Section 34177 also provides for significant penalties if a ROPS is submitted late. The City of Kerman would be subject to a civil penalty of \$10,000 per day for each day the ROPS is not submitted to the DOF, and if the ROPS is not submitted within 10 days of the deadline, the maximum administrative cost allowance of the LSA for that ROPS period would be reduced by 25%.

Section 34182.5 provides the County Auditor-Controller the ability to review the ROPS and object to (1) the inclusion of any items that are not demonstrated to be enforceable obligations and/or (2) the funding source proposed for any items. The County Auditor-Controller must transmit notice of its objections to the Successor Agency, the Oversight Board and the DOF at least 60 days prior to an allocation date specified in Section 34183. If the Oversight Board disputes the objections of the County Auditor-Controller, it may refer the matter to the DOF for determination.

The Oversight Board's approval of ROPS 15-16B is one of the steps in the procedure of adopting a valid ROPS for the period of January through June 2016 pursuant to Section 34177(l), and obtaining the funds to make payments on obligations listed on that ROPS.

FISCAL IMPACT

There is no fiscal impact as a result of adoption of this resolution.

PUBLIC HEARING

N/A

Attachments:

- A. Resolution
- B. Recognized Obligation Payment Schedule (ROPS 15-16B)

Attachment 'A'

RESOLUTION NO. OB 15-__

A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE KERMAN REDEVELOPMENT AGENCY APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JANUARY 1, 2016 THROUGH JUNE 30, 2016 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(1)

WHEREAS, pursuant to Assembly Bill IX26 (Stats. 2011, 1st Ex. Sess., chap. 5) a new Part 1.85 was added to Division 24 of the California Health and Safety Code (Health and Safety Code Section 34170 et seq.), which was subsequently modified by the California Supreme Court in California Redevelopment Association v. Matosantos (2011) 53 Cal. 4th 231 and by Assembly Bill 1484 (Stats. 2012, chap. 26, effective June 27, 2012) (the "Dissolution Act"), and in accordance therewith, all redevelopment agencies in the State of California, including the Redevelopment Agency of the City of Kerman (the "Redevelopment Agency"), were dissolved as of February 1, 2012; and

WHEREAS, pursuant to the Dissolution Act, the City of Kerman became the Successor Agency to the former Kerman Redevelopment Agency (the "Kerman Successor Agency") and, by operation of law under Section 34175(b) of the Dissolution Act, all assets, properties, contracts, leases, books and records, buildings, and equipment of the former Redevelopment Agency (the "redevelopment assets") were transferred to the Kerman Successor Agency (SA), on February 1, 2012; and

WHEREAS, Section 34177(l) of the Dissolution Act requires the Kerman SA to prepare a Recognized Obligation Payment Schedule ("ROPS") for each six-month fiscal period, which lists the outstanding obligations of the former Redevelopment Agency, states the months in which payments on those obligations are required and the source of funds for the payments; and

WHEREAS, the Kerman Successor Agency has prepared a ROPS for the January 1, 2015 through June 30, 2016 fiscal period (ROPS 15-16B); and

WHEREAS, pursuant to Section 34180(g) of the Dissolution Act, the Oversight Board must approve the establishment of each ROPS.

NOW, THEREFORE, THE KERMAN OVERSIGHT BOARD DOES HEREBY RESOLVE AS FOLLOWS:

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

SECTION 2. Approval of ROPS for January 1, 2016 through June 30, 2016. The Successor Agency to the Former Kerman RDA hereby approves the ROPS for presentation to the Oversight Board for the period of January 1, 2016 through June 30, 2016, in the form attached to this resolution.

SECTION 3. The Successor Agency will transmit the ROPS for the period of January 1, 2016 through June 30, 2016, to the Fresno County Auditor-Controller, State Department of Finance and the State Controller if so authorized and directed by the Oversight Board.

The foregoing resolution was introduced at a regular meeting of the Oversight Board to the Successor Agency to the Kerman Redevelopment Agency held on the 16th day of September 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Charles H. Jones
Vice Chairperson

Attest:

Marci Reyes
Agency Secretary

Attachment 'B'

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

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

Name of Successor Agency: Kerman

Name of County: Fresno

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A	Sources (B+C+D):	\$ -
B	Bond Proceeds Funding (ROPS Detail)	-
C	Reserve Balance Funding (ROPS Detail)	-
D	Other Funding (ROPS Detail)	-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 56,316
F	Non-Administrative Costs (ROPS Detail)	6,316
G	Administrative Costs (ROPS Detail)	50,000
H	Total Current Period Enforceable Obligations (A+E):	\$ 56,316

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	56,316
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	(6,316)
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 50,000

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	56,316
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	56,316

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/ _____ 9/16/2015
 Signature Date

Attachment 'B' (cont'd)

Kerman Recognized Obligation Payment Schedule (ROPS 15-16B) - 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 Cash Balance Tips Sheet .									
A	B	C	D	E	F	G	H	I	
Cash Balance Information by ROPS Period		Fund Sources					Comments		
		Bond Proceeds		Reserve Balance		Other			RPTTF
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent Grants, Interest, Etc.			Non-Admin and Admin
ROPS 14-15B Actuals (01/01/15 - 06/30/15)									
1	Beginning Available Cash Balance (Actual 01/01/15)								
2	Revenue/Income (Actual 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015						58,316		
3	Expenditures for ROPS 14-15B Enforceable Obligations (Actual 06/30/15) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q						58,316		
4	Retention of Available Cash Balance (Actual 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
5	ROPS 14-15B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15B PPA in the Report of PPA, Column S						5,316		
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	(6,316)	
ROPS 15-16A Estimate (07/01/15 - 12/31/15)									
7	Beginning Available Cash Balance (Actual 07/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		
8	Revenue/Income (Estimate 12/31/15) RPTTF amounts should tie to the ROPS 15-16A distribution from the County Auditor-Controller during June 2015						105,848		
9	Expenditures for ROPS 15-16A Enforceable Obligations (Estimate 12/31/15)						109,848		
10	Retention of Available Cash Balance (Estimate 12/31/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		

