

REPORT/RECOMMENDATION TO THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD AND RECORD OF ACTION

December 13, 2021

FROM

SAM SINGERY, Deputy Director, Finance

SUBJECT

Resolution Approving the Successor Agency to the Redevelopment Agency of the City of San Bernardino's Recognized Obligation Payment Schedule and Administrative Budget for Fiscal Year 2022-23

RECOMMENDATION(S)

Adopt a **Resolution No. 39** approving the Successor Agency to the Redevelopment Agency of the City of San Bernardino's Recognized Obligation Payment Schedule and administrative budget for Fiscal Year 2022-23.

(Presenter: Sam Singery, Deputy Finance Director, (909) 384-7272)

BACKGROUND INFORMATION

California Health & Safety Code Section (HSC) 34177 requires the San Bernardino Countywide Oversight Board (CWOB) to approve the 2022-23 Recognized Obligation Payment Schedule (ROPS) and administrative budget. The ROPS is an annual form and must be submitted to the Department of Finance (DOF) and the County Auditor-Controller by February 1 of each year. Pursuant to HSC 34179(h)(1)(B), the administrative budget is not required to be sent to DOF.

DOF will have until April 15 to review the 2022-23 ROPS and provide the successor agency a compliance determination. If the successor agency disagrees with the DOF determination, a "meet and confer" is allowed to facilitate a discussion between the successor agency and DOF. In the event of a meet and confer process, DOF must make a final compliance determination on or before May 15 or 15 days prior to the June 1 Redevelopment Property Tax Trust Fund (RPTTF) distribution.

The recommended action will further the Successor Agency to the Redevelopment Agency of the City of San Bernardino's (Successor Agency) dissolution as an annual ROPS is required by DOF as part of the wind-down of the Successor Agency. There is an approximate 21%, or \$2.5 million decrease in the amount required from the RPTTF from the last annual ROPS approved.

It is recommended the CWOB approve the Successor Agency's 2022-23 ROPS and administrative budget. The draft 2022-23 ROPS will be provided to DOF, the County Auditor-Controller and the County Administrative Office as required by HSC 34177(l)(2)(B). The adopted 2022-23 ROPS will be provided to DOF and the County Auditor-Controller pursuant to HSC 34177(o). This will commence the DOF review period.

ATTACHMENTS

Attachment A – Resolution

Attachment B – ROPS for Fiscal Year 2022-23

Attachment C – Administrative Budget for Fiscal Year 2022-23

**Resolution Approving the Successor Agency to the Redevelopment
Agency of the City of San Bernardino's Recognized Obligation
Payment Schedule and Administrative Budget for Fiscal Year 2022-23**

REVIEW BY OTHERS

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector on November 23, 2021 and San Bernardino Countywide Oversight Board Legal Counsel on November 23, 2021.

Resolution Approving the Successor Agency to the Redevelopment Agency of the City of San Bernardino's Recognized Obligation Payment Schedule and Administrative Budget for Fiscal Year 2022-23

Record of Action of the San Bernardino Countywide Oversight Board

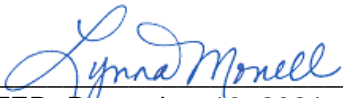
APPROVED

Moved: David Wert Seconded: Frederick Ang

Ayes: Frederick Ang, Katie Hylton, Kenneth Miller, Cindy Saks, Acquanetta Warren, David Wert

Absent: Lawrence Strong

Lynna Monell, SECRETARY

BY 
DATED: December 13, 2021



cc: W/Resolution
File - San Bernardino Countywide Oversight Board w/attach
KS 12/16/2021

STATE OF CALIFORNIA)
)
SAN BERNARDINO COUNTY) ss.

I, **LYNNA MONELL**, Secretary to the San Bernardino Countywide Oversight Board, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Countywide Oversight Board, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of December 13, 2021. #8 KS

LYNNA MONELL
Secretary to the San Bernardino Countywide
Oversight Board

By _____

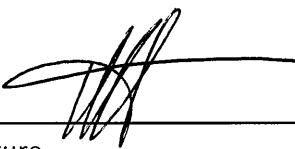


Recognized Obligation Payment Schedule (ROPS 22-23) - Summary
Filed for the July 1, 2022 through June 30, 2023 Period

Successor Agency: San Bernardino City
 County: San Bernardino

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)		22-23 A Total (July - December)	22-23 B Total (January - June)	ROPS 22-23 Total
A	Enforceable Obligations Funded as Follows (B+C+D):	\$ 1,359,130	\$ 25,000	\$ 1,384,130
B	Bond Proceeds	945,545	-	945,545
C	Reserve Balance	-	-	-
D	Other Funds	413,585	25,000	438,585
E	Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 8,687,644	\$ 963,615	\$ 9,651,258
F	RPTTF	8,607,644	941,015	9,548,658
G	Administrative RPTTF	80,000	22,600	102,600
H	Current Period Enforceable Obligations (A+E):	\$ 10,046,774	\$ 988,615	\$ 11,035,388

Certification of Oversight Board Chairman:
 Pursuant to Section 34177 (o) 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 successor
 agency.

David Wert	Chairman
_____ Name	_____ Title
	December 13, 2021
_____ Signature	_____ Date

San Bernardino City Recognized Obligation Payment Schedule (ROPS 22-23) - ROPS Detail
 July 1, 2022 through June 30, 2023
 (Report Amounts in Whole Dollars)

A Item #	B Project Name/Debt Obligation	C Obligation Type	D Contract/Agreement Execution Date	E Contract/Agreement Termination Date	F Payee	G Description/Project Scope	H Project Area	I Total Outstanding Debt or Obligation	J Retired	K ROPS 22-23 Total	L 22-23 A (July - December)					Q 22-23 A Total	R 22-23 B (January - June)					W 22-23 B Total
											M Fund Sources						N Fund Sources					
											O Bond Proceeds	P Reserve Balance	Q Other Funds	R RPTTF	S Admin RPTTF		T Bond Proceeds	U Reserve Balance	V Other Funds	W RPTTF	X Admin RPTTF	
8	2005A TABs	Bonds Issued On or Before 12/31/10	9/22/2005	10/1/2025	US Bank	SC, CCN, SEIP, NW, TRI, UP and SV Projects	All	\$ 60,074,896	N	\$ 11,035,388	\$ 945,545	\$ -	\$ 413,585	\$ 8,607,644	\$ 80,000	\$ 10,046,774	\$ -	\$ -	\$ 25,000	\$ 941,015	\$ 22,600	\$ 988,615
9	2005B TABs	Bonds Issued On or Before 12/31/10	9/22/2005	10/1/2025	US Bank	SC, CCN, SEIP, NW, TRI, UP and SV Projects	All	\$ 4,012,307	N	\$ 1,051,700			400,000	2,417,388		\$ 973,356				78,344		\$ 78,344
10	2010A RECOVERY ZONE	Bonds Issued On or Before 12/31/10	12/21/2010	6/30/2021	US Bank	Recovery Zone Projects	All	\$ -	Y	\$ -			-	-	\$ -				-	-		\$ -
11	2010B TABs	Bonds Issued After 12/31/10	2/1/2011	6/30/2021	US Bank	Northwest Project Area	All	\$ -	Y	\$ -					\$ -							\$ -
12	1995H Highland Lutheran SR Housing	Revenue Bonds Issued On or Before 12/31/10	7/1/1995	7/1/2025	US Bank	Sr Housing Complex	All	\$ 591,588	N	\$ 150,120			-	15,060	\$ 15,060					135,060		\$ 135,060
13	1995R Casa Ramona Sr Housing	Revenue Bonds Issued On or Before 12/31/10	7/1/1995	7/1/2025	US Bank	Ramona Sr Housing Complex	All	\$ 518,434	N	\$ 132,169			13,585	-	\$ 13,585			25,000	93,584			\$ 118,584
18	Arden-Guthrie Sec. 108 Bonds	Bonds Issued On or Before 12/31/10	7/24/2006	8/1/2026	Bank of New York	North Arden/Guthrie Project – Subordinate Credit to CDBG	All	\$ 3,658,243	N	\$ -					\$ -							\$ -
30	PERS - Unfunded Pension Obligation	Unfunded Liabilities	6/30/2010	6/30/2045	CalPERS	The amount of the unfunded pension obligation was established by Cal PERS	All	\$ 12,851,025	N	\$ 609,799				609,799	\$ 609,799							\$ -
31	Retiree Health Benefit	Miscellaneous	6/23/2005	6/30/2045	Various Retired Employees	Retiree Supplemental Health Benefit per Agency Policy	All	\$ 772,800	N	\$ 33,600				16,800	\$ 16,800					16,800		\$ 16,800
32	Successor Agency Admin.	Admin Costs	7/1/2022	6/30/2023	Various Employees & Vendors	Various admin activities in support of the dissolution of the former RDA (equals 3% of excel Cell N-6)	All	\$ 530,600	N	\$ 102,600					80,000	\$ 80,000					22,600	\$ 22,600
84	Securities Servicing	Fees	3/2/1998	12/1/2031	US Bank	Securities Servicing of all Bonds	All	\$ 203,280	N	\$ 27,070				8,500	\$ 8,500					18,570		\$ 18,570
96	Reimbursement Agreement for Debt Service on 1999 COPs	Bonds Issued On or Before 12/31/10	9/29/1999	9/1/2024	City of San Bernardino	Reimbursement for Debt Service for 1999 COPs (201 Bldg. & South Valle)	All	\$ 1,881,713	N	\$ 625,438				592,713	\$ 592,713					32,725		\$ 32,725
120	Continuing Disclosure Services	Professional Services	10/1/2012	12/1/2031	Urban Futures, Inc.	Continuing Disclosure Services for 1999 COPs, 2005A, 2005B, 2016A, 2016B, and 2021A TABs - ROPS "B" Cycle Only	All	\$ 81,000	N	\$ 9,000					\$ -					9,000		\$ 9,000
125	2016 Refunding TABs (Interest Portion Only)	Refunding Bonds Issued After 6/27/12	3/23/2016	12/1/2031	US Bank	Refunding TABs of the 1998B, 2002, 2002A and 2006 TABs and the 2010 and 2011 EB-5 Notes	All	\$ 2,163,465	N	\$ 699,390				385,090	\$ 385,090					314,300		\$ 314,300
126	2016 Refunding TABs (Principal Reduction Portion Only)	Refunding Bonds Issued After 6/27/12	3/23/2016	12/1/2031	US Bank	Refunding TABs of the 1998B, 2002, 2002A and 2006 TABs and the 2010 and 2011 EB-5 Notes	All	\$ 16,670,000	N	\$ 3,125,000				3,125,000	\$ 3,125,000							\$ -
132	Capital Improvement Projects Funded by 2010B TABs	Bond Funded Project – 2011	2/1/2011	4/1/2028	City of San Bernardino	Capital improvements to be selected consistent with the applicable bond documents to be managed by City. Per the BEA and DOF approval, \$135,078 has been transferred to the City. Any remaining balance to be transferred requires a Last and Final ROPS.	All	\$ 945,545	N	\$ 945,545	945,545				\$ 945,545							\$ -
134	2021 Refunding TABs	Refunding Bonds Issued After 6/27/12	7/8/2021	10/1/2029	US Bank	Refunding TABs of the 2010A	All	\$ 3,859,946	N	\$ 486,775				463,938	\$ 463,938					22,838		\$ 22,838
										\$ -					\$ -							\$ -
										\$ -					\$ -							\$ -

San Bernardino City Recognized Obligation Payment Schedule (ROPS 22-23) - Report of Cash Balances
July 1, 2019 through June 30, 2020
(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	
		Fund Sources					Comments	
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF		
	ROPS 19-20 Cash Balances (07/01/19 - 06/30/20)	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, Grants, Interest, etc.	Non-Admin and Admin		
1	Beginning Available Cash Balance (Actual 07/01/19) RPTTF amount should exclude "A" period distribution amount	15,283,293	3,914,407	732,256	1,742,701	74,654	For Cell C-1, D-1, E-1 and F-1 the beginning amounts are in balance with the cash held by the Trustee, US Bank, in accordance with the US Bank trust statements, and with the Successor financial statements ending June 30, 2019, and bring the ending balances on line 4 for June 30, 2020 into balance with US Bank and the Successor financial statements. For Cell G-1, the zero shown is less Prior Period Adjustments to be withheld (PPA for FY 16-17 - \$74,654 was withheld FY 19-20, PPA FY 17-18 \$219,026 to be withheld FY 20-21, PPA FY 18-19 \$788,245 to be withheld FY 21-22, and the estimated PPA for FY 19-20, to be withheld FY 22-23, in the amount of \$380,749 is shown on line 5).	
2	Revenue/Income (Actual 06/30/20) RPTTF amount should tie to the ROPS 18-19 total distribution from the County Auditor-Controller		30,928	0	734,699	14,837,030	Cell D-2 represents interest earnings on the 2010B bonds. Cell F-2 equals \$734,699 of interest and other revenue for ROPS period 19-20. The amount shown in Cell G-2 equals the actual RPTTF funds received for ROPS 19-20.	
3	Expenditures for ROPS 19-20 Enforceable Obligations (Actual 06/30/20)	1,402,032	0	726,297	830,406	14,456,281	Cell C-3 represents the amount of Bond Proceeds transferred to the City and spent in ROPS 19-20 per the DOF approved 3-21-16 Bond Expenditure Agreement. Cell E-3 represents other/collateral funds used for the 2016 Bond debt service. Cell F-3 represents the expenditures from other funds in ROPS 19-20 for bond debt service. Cell G-3 represents the expenditures from RPTTF for ROPS 19-20.	
4	Retention of Available Cash Balance (Actual 06/30/20) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	13,881,261	3,945,335	5,959	1,646,994	0	Cells C-4 and D-4 are the remaining balances, in accordance with the Trial Balances, for the DSRFs and bond proceeds held by the bond Trustee, US Bank. Cell E-4 equals the balance of the compensating/collateral balance deposit with CBB related to EO # 41, of which the amount of \$726,297 was programmed for ROPS 19-20 debt services, with the balance of \$5,959 reprogrammed in ROPS 21-22. Cell F-4 includes previous rental and other income and interest income reprogrammed in ROPS 20-21 (\$1,700,000) and reprogrammed in ROPS 21-22 (\$994,041), leaving a balance of \$400,000 to be programmed in ROPS 22-23. Cell G-4 would represent the sum of any unused RPTTF from prior periods.	
5	ROPS 19-20 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 19-20 PPA form submitted to the CAC	No entry required					380,749	Cell G-5 represents the Prior Period Adjustment for ROPS 19-20 of \$380,749. In FY 19-20, the Prior Period Adjustment for ROPS 16-17 reduced the RPTTF by \$74,654, in FY 20-21 the Prior Period Adjustment for ROPS 17-18 in the amount of \$219,026 will reduce the RPTTF, and in FY 21-22 the Prior Period Adjustment for ROPS 18-19 in the amount of \$788,245 will reduce the RPTTF.
6	Ending Actual Available Cash Balance (06/30/20) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 74,654		

City of San Bernardino Recognized Obligation Payment Schedule (ROPS 22-23) - Notes July 1, 2022 through June 30, 2023

Item #	Notes/Comments
	ROPS DETAIL
8	For 2005A TABs, Other Funds represent past revenues (interest earned and rents) now being reprogrammed
10	2010A Bonds paid-off as part of Refunding 2021A TAB issuance
11	2010B Bonds paid-off FY 20-21
12	For the 1995H Bonds, the owner's contribution is equal to the estimated amount applicable during the current ROPS cycle. The owner's contribution tends to vary by payment period. The amounts shown in Cell Nos. N-12 and T-12 are estimates based on actual amounts paid during ROPS 19-20 and ROPS 20-21.
13	For the 1995R Bonds, the owner's contribution is equal to the estimated amount applicable during the current ROPS cycle. The owner's contribution tends to vary by payment period. The amounts shown in Cell Nos. N-13 and T-13 are estimates based on actual amounts paid during ROPS 19-20 and ROPS 20-21.
18	The Arden-Guthrie Section 108 (CDBG) Loan has an RDA stand-by guaranty that may only be called upon if the CDBG funds during any year are insufficient to make debt service. Since CDBG revenue is projected to be sufficient during ROPS 22-23 A and B, no current payment is needed from RPTTF.
30	Pursuant to Cal PERS per letter invoice dated August 2017 Cal PERS is now billing annually for unfunded pension obligations. The amount is in accordance with the CALPERS actuarial valuation dated June 30, 2020 (most recent available).
32	The amount of this EO is equal, or less, to 3% of the sum of the amounts indicated in columns "O" and "U" for the previous ROPS
120	EO # 120 is for bond continuing disclosure services, which is paid during the "B" ROPS cycle
132	Capital improvements to be selected consistent with the applicable bond documents to be managed by City for 2010B TABs. Any balance on the 2010B TABs to be transferred requires a Last and Final ROPS.
134	Refunding TABs of the 2010A TABs
	CASH BALANCES FORM
Cell H-1	For Cell C-1, D-1, E-1 and F-1 the beginning amounts are in balance with the cash held by the Trustee, US Bank, in accordance with the US Bank trust statements, and with the Successor financial statements ending June 30, 2019, and bring the ending balances on line 4 for June 30, 2020 into balance with US Bank and the Successor financial statements. For Cell G-1, the zero shown is less Prior Period Adjustments to be withheld (PPA for FY 16-17 - \$74,654 was withheld FY 19-20, PPA FY 17-18 \$219,026 to be withheld FY 20-21, PPA FY 18-19 \$788,245 to be withheld FY 21-22, and the estimated PPA for FY 19-20, to be withheld FY 22-23, in the amount of \$380,749 is shown on line 5).
Cell H-2	Cell D-2 represents interest earnings on the 2010B bonds. Cell F-2 equals \$734,699 of interest and other revenue for ROPS period 19-20. The amount shown in Cell G-2 equals the actual RPTTF funds received for ROPS 19-20.
Cell H-3	Cell C-3 represents the amount of Bond Proceeds transferred to the City and spent in ROPS 19-20 per the DOF approved 3-21-16 Bond Expenditure Agreement. Cell E-3 represents other/collateral funds used for the 2016 Bond debt service. Cell F-3 represents the expenditures from other funds in ROPS 19-20 for bond debt service. Cell G-3 represents the expenditures from RPTTF for ROPS 19-20.
Cell H-4	Cells C-4 and D-4 are the remaining balances, in accordance with the Trial Balances, for the DSRFs and bond proceeds held by the bond Trustee, US Bank. Cell E-4 equals the balance of the compensating/collateral balance deposit with CBB related to EO # 41, of which the amount of \$726,297 was programmed for ROPS 19-20 debt services, with the balance of \$5,959 reprogrammed in ROPS 21-22. Cell F-4 includes previous rental and other income and interest income reprogrammed in ROPS 20-21 (\$1,700,000) and reprogrammed in ROPS 21-22 (\$994,041), leaving a balance of \$400,000 to be programmed in ROPS 22-23. Cell G-4 would represent the sum of any unused RPTTF from prior periods.
Cell H-5	Cell G-5 represents the Prior Period Adjustment for ROPS 19-20 of \$380,749. In FY 19-20, the Prior Period Adjustment for ROPS 16-17 reduced the RPTTF by \$74,654, in FY 20-21 the Prior Period Adjustment for ROPS 17-18 in the amount of \$219,026 will reduce the RPTTF, and in FY 21-22 the Prior Period Adjustment for ROPS 18-19 in the amount of \$788,245 will reduce the RPTTF.