

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

January 12, 2023

## FROM

YOLANDA ACOSTA, Accounting Division Manager, City of San Bernardino

## 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 2023-24

## RECOMMENDATION(S)

Adopt a **Resolution No. 2023-12** 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 2023-24.

(Presenter: Yolanda Acosta, Accounting Division Manager, City of San Bernardino, 909-384-5349)

## BACKGROUND INFORMATION

California Health & Safety Code section (HSC) 34177 requires the San Bernardino Countywide Oversight Board (CWOB) to approve the 2023-24 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 section 34179(h)(1)(B), the administrative budget is not required to be sent to DOF.

DOF will have until April 15 to review the 2023-24 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 increase of \$301,308 requested in the amount required from the RPTTF from the last annual ROPS approved. The increase is due to an increase in the debt service requirements.

It is recommended the CWOB approve the Successor Agency's 2023-24 ROPS and administrative budget. The draft 2023-24 ROPS will be provided to DOF, the County Auditor-Controller and the County Administrative Office as required by HSC section 34177(l)(2)(B). The adopted 2023-24 ROPS will be provided to DOF and the County Auditor-Controller pursuant to HSC section 34177(o). This will commence the DOF review period.

**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 2023-24  
January 12, 2023**

**ATTACHMENTS**

Attachment A – Resolution

Attachment B – ROPS for Fiscal Year 2023-24

Attachment C – Administrative budget for Fiscal Year 2023-24

**REVIEW BY OTHERS**

This item has been reviewed by Auditor-Controller/Treasurer/Tax Collector on January 3, 2023 and San Bernardino Countywide Oversight Board Legal Counsel on January 3, 2023.

**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 2023-24  
January 12, 2023**

Record of Action of the San Bernardino Countywide Oversight Board

**APPROVED**

Moved: Richard DeNava Seconded: Kenneth Miller

Ayes: Frederick Ang, Richard DeNava, Kenneth Miller, Cindy Saks, Lawrence Strong, Acquanetta Warren, David Wert

Lynna Monell, SECRETARY

BY

  
\_\_\_\_\_

DATED: January 12, 2023



cc: w/Resolution  
File - San Bernardino Countywide Oversight Board w/attach  
CCM 01/19/2023

**RESOLUTION NO. 2023- 12**

**RESOLUTION OF THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD 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 2023-24**

On Thursday, January 12, 2023 on motion of San Bernardino Countywide Oversight Board Member DeNava, duly seconded by San Bernardino Countywide Oversight Board Member Miller and carried, the following resolution is adopted by the San Bernardino Countywide Oversight Board, State of California.

WHEREAS, California Health and Safety Code (HSC) section 34179(e) requires all action items of the San Bernardino Countywide Oversight Board be accomplished by resolution; and

WHEREAS, HSC section 34177 requires the San Bernardino Countywide Oversight Board to approve the Recognized Obligation Payment Schedule (ROPS) and administrative budget; and

WHEREAS, pursuant to HSC section 34177(o), the deadline for submitting the ROPS for Fiscal Year 23-24 to the Department of Finance is February 1, 2023.

NOW, THEREFORE, the San Bernardino Countywide Oversight Board hereby resolves, determines and orders as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The Successor Agency to the Redevelopment Agency of the City of San Bernardino's ROPS and administrative budget for Fiscal Year 2023-24 in the form presented in Attachment "B", attached hereto and incorporated herein by this reference, together with such changes thereto as may be approved by the San Bernardino Countywide Oversight Board, are hereby approved.

Section 3. The ROPS for Fiscal Year 2023-24 in the form presented in Attachment "B" shall be transmitted to the Department of Finance, with a copy submitted concurrently to the San Bernardino Countywide Oversight Board.

This resolution shall take effect from and after the date of its passage and adoption.

PASSED AND ADOPTED by the San Bernardino Countywide Oversight Board, State of California, by the following vote:

AYES:      OVERSIGHT BOARD MEMBER: Frederick Ang, Richard DeNava, Kenneth Miller, Cindy Saks, Lawrence Strong, Acquanetta Warren, David Wert

NOES:      OVERSIGHT BOARD MEMBER: None

ABSENT:    OVERSIGHT BOARD MEMBER: None

\* \* \* \* \*

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 January 12, 2023. #12 CCM

LYNNA MONELL  
Secretary to the San Bernardino Countywide  
Oversight Board

By \_\_\_\_\_  
Deputy




**Recognized Obligation Payment Schedule (ROPS 23-24) - Summary**  
**Filed for the July 1, 2023 through June 30, 2024 Period**

Successor Agency: Successor Agency to the Redevelopment Agency of the City of San Bernardino  
 County: San Bernardino

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	23-24 A Total (July - December)	23-24 B Total (January - June)	ROPS 23-24 Total
<b>A Enforceable Obligations Funded as Follows (B+C+D):</b>	<b>\$ 27,450</b>	<b>\$ 25,000</b>	<b>\$ 52,450</b>
B Bond Proceeds	18,000	-	18,000
C Reserve Balance	-	-	-
D Other Funds	9,450	25,000	34,450
<b>E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):</b>	<b>\$ 9,176,092</b>	<b>\$ 776,475</b>	<b>\$ 9,952,567</b>
F RPTTF	9,136,092	756,475	9,892,567
G Administrative RPTTF	40,000	20,000	60,000
<b>H Current Period Enforceable Obligations (A+E):</b>	<b>\$ 9,203,542</b>	<b>\$ 801,475</b>	<b>\$ 10,005,017</b>

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  
  
 January 12, 2023  
 \_\_\_\_\_  
 Signature Date



**San Bernardino City Recognized Obligation Payment Schedule (ROPS 23-24) - Report of Cash Balances  
July 1, 2020 through June 30, 2021  
(Report Amounts in Whole Dollars)**

A	B	C	D	E	F	G	H
		<b>Fund Sources</b>					
		<b>Bond Proceeds</b>		<b>Reserve Balance</b>	<b>Other Funds</b>	<b>RPTTF</b>	
	<b>ROPS 20-21 Cash Balances (07/01/20 - 06/30/21)</b>	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	<b>Comments</b>
1	<b>Beginning Available Cash Balance (Actual 07/01/20)</b> RPTTF amount should exclude "A" period distribution amount	15,035,082	3,132,323	1,019,189	2,464,041	219,026	For Cell C-1, D-1, E-1 and F-1 the beginning amounts are in balance with the cash held by the Bond Trustee, US Bank, in accordance with the US Bank trust statements, and with the Successor financial statements ending June 30, 2020, and bring the ending balances on line 4 for June 30, 2021 into balance with US Bank and the Successor financial statements.
2	<b>Revenue/Income (Actual 06/30/21)</b> RPTTF amount should tie to the ROPS 20-21 total distribution from the County Auditor-Controller		0	233,418	0	15,727,091	Cell E-2 represents interest earnings on idle Successor funds, already reprogrammed in future ROPS. The amount shown in Cell G-2 equals the actual RPTTF funds received for ROPS 20-21.
3	<b>Expenditures for ROPS 20-21 Enforceable Obligations (Actual 06/30/21)</b>	3,093,794	1,771,449	0	1,070,000	15,477,313	Cell C-3 represents the amount of Bond Proceeds transferred to the City and spent in ROPS 20-21 per the DOF approved 3-21-16 Bond Expenditure Agreement. Cell D-3 represents Bond Proceeds used to pay down the 2010B Bonds. Cell F-3 represents the expenditures from other funds in ROPS 20-21 for bond debt service. Cell G-3 represents the expenditures from RPTTF for ROPS 20-21.
4	<b>Retention of Available Cash Balance (Actual 06/30/21)</b> RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						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), and reprogrammed in ROPS 22-23 (\$400,000). Cell G-4 would represent the sum of any unused RPTTF from prior periods.
5	ROPS 20-21 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 20-21 PPA form submitted to the CAC	11,941,288	1,360,874	5,959	1,394,041	0	Cell G-1 represents the Prior Period Adjustment for ROPS 17-18 of \$219,026, which in FY 20-21 reduced the RPTTF. The Prior Period Adjustment for ROPS 18-19 in the amount of \$788,245 will reduce the RPTTF in FY 21-22. The Prior Period Adjustment for ROPS 19-20 in the amount of \$458,403 will reduce the RPTTF in FY 22-23. The estimated Prior Period Adjustment for ROPS 20-21 in the estimated amount of \$468,804 will reduce the RPTTF in FY 23-24, which is shown in G-5
6	<b>Ending Actual Available Cash Balance (06/30/21)</b> C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$ 0	\$ 0	\$ 1,246,648	\$ 0	\$ 0	468,804



**San Bernardino City Recognized Obligation Payment Schedule (ROPS 23-24) - Notes July 1, 2023 through June 30, 2024**

Item #	Notes/Comments
	<b>ROPS DETAIL</b>
8	For 2005A TABs, Other Funds represent past revenues (interest earned and rents) now being reprogrammed
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.
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