

**SUBMITTAL TO THE COUNTYWIDE OVERSIGHT
BOARD FOR COUNTY OF RIVERSIDE**



MEETING DATE: September 20, 2018

FROM: SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY

SUBJECT: Resolution No. 2018-___ A Resolution of the Countywide Oversight Board for the County of Riverside Approving the Amended Recognized Obligation Payment Schedule for the period January 1, 2019 through June 30, 2019 for the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley [\$102,181]; CEQA Exempt

RECOMMENDED MOTION: That the Countywide Oversight Board:

1. Find that the project is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines;
2. Adopt Resolution No. 2018-___ A Resolution of the Countywide Oversight Board for the County of Riverside Approving the Amended Recognized Obligation Payment Schedule for the period January 1, 2019 through June 30, 2019 for the Successor Agency to the Community Redevelopment Agency of the City of Moreno Valley and making related findings and declarations and taking related actions in connection therewith; and
3. Direct County Executive Office staff, on behalf of the Countywide Oversight Board, to submit Resolution No. 2018-___ to the Department of Finance for review and approval pursuant to Section 34179(h) of the Health and Safety Code, as applicable.

MINUTES OF THE COUNTYWIDE OVERSIGHT BOARD

SUBMITTAL TO THE COUNTYWIDE OVERSIGHT BOARD FOR COUNTY OF RIVERSIDE

BACKGROUND:

The former Community Redevelopment Agency of the City of Moreno Valley ("Former Agency") was formed, existed and exercised its powers pursuant to the Community Redevelopment law (California Health and Safety Code section 33000 et seq.).

Pursuant to Assembly Bill No. 1X 26, as modified by Assembly Bill No. 1484 enacted on June 27, 2012, and as further modified by Senate Bill No. 107 enacted September 22, 2015, which added or amended Parts 1.8 and 1.85 to Division 24 of the Health and Safety Code ("Dissolution Act"), the Former Agency was dissolved on February 1, 2012 and the Successor agency to the Community Redevelopment Agency of the City of Moreno Valley ("Successor Agency") was vested with all authority, rights, powers, duties and obligations of the Former Agency.

The Successor Agency staff has prepared the proposed Amended Recognized Obligation Payment Schedule for the period of January 1, 2019 through June 30, 2019 ("ROPS FY 2018-19B"), substantially in the form shown in Attachment "A", attached hereto and incorporated herein by this reference.

The ROPS FY 2018-19B amendment is being proposed to increase the payment to Robertson's Ready Mix Inc. based on actual tax revenues received by the City, per the terms of the Owner Participation Agreement between the Former Agency and Robertson's Ready Mix, Inc.

The City Council of Moreno Valley acting in its capacity as the governing board of the Successor Agency, approved the ROPS FY 2018-19B by adoption of Resolution No. SA 2018-04.

Under Resolution No. SA 2018-04, the Successor Agency's governing board represents and warrants that it examined all of the items on the ROPS FY 2018-19B and finds that each of them is necessary for the continued maintenance and preservation of property owned by the Successor Agency until disposition in accordance with the Dissolution Act, the continued administration of the ongoing enforceable obligations, or the expeditious wind-down of the affairs of the Former Agency by the Successor Agency.

SUBMITTAL TO THE COUNTYWIDE OVERSIGHT BOARD FOR COUNTY OF RIVERSIDE

Pursuant to Section 34177 and 34180(g) of the Health and Safety Code, the ROPS FY 2018-19B must be submitted to the Countywide Oversight Board for the Countywide Oversight Board's approval.

Pursuant to the California Environmental Quality Act (CEQA), based upon a review of the evidence and information presented on the matter as it relates to the adoption of the ROPS FY 2018-19B, the Countywide Oversight Board has determined that such approval is categorically exempt from CEQA pursuant to Section 15061(b)(3) of the State CEQA Guidelines because there is no possibility that the activities in question will have a significant impact on the environment and the amendment is merely the adoption of annual budget; it will not require any construction activities and will not lead to any direct or reasonably foreseeable indirect physical environmental impacts.

Staff recommends adoption of Resolution No. 2018-____, a Resolution of the Countywide Oversight Board for the County of Riverside Successor Agency Approving the Amended Recognized Obligation Payment Schedule for the period January 1, 2019 through June 30, 2019 for the City of Moreno Valley Successor Agency and making related findings and declarations and taking related actions in connection therewith.

Resolution No. 2018-____ has been approved by the Countywide Oversight Board Counsel as to form.

IMPACT ON TAXING ENTITIES

[Not applicable.]

Attachment:

Resolution No. 2018-____

1 COUNTYWIDE OVERSIGHT BOARD
2 FOR THE COUNTY OF RIVERSIDE

SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF MORENO
VALLEY

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6 **RESOLUTION NO. 2018-009**

7 **RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD FOR**
8 **COUNTY OF RIVERSIDE APPROVING THE AMENDED RECOGNIZED**
9 **OBLIGATION PAYMENT SCHEDULE (18-19B) FOR THE PERIOD**
10 **JANUARY 1, 2019 THROUGH JUNE 30, 2019 FOR THE**
11 **SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY**
12 **OF THE CITY OF MORENO VALLEY AND MAKING RELATED FINDINGS AND**
13 **DECLARATIONS AND TAKING RELATED ACTIONS IN**
14 **CONNECTION THEREWITH**

15
16 **WHEREAS**, the Community Redevelopment Agency of the City of Moreno Valley (the
17 “Former Agency”) was formed, existed and exercised its powers pursuant to the Community
18 Redevelopment law (California Health and Safety Code section 33000 et seq. the “CRL”);

19 **WHEREAS**, the California state legislature enacted Assembly Bill 1x 26, as modified by
20 Assembly Bill No. 1484 enacted on June 27, 2012, as further modified by Senate Bill No. 107
21 enacted on September 22, 2015, as such may be further amended (collectively, the “Dissolution
22 Act”), adding or amending Parts 1.8 and 1.85 to Division 24 of the Health and Safety Code, to
23 dissolve redevelopment agencies formed under the CRL;

24 **WHEREAS**, pursuant to Section 34173 of the Health and Safety Code, effective February
25 1, 2012 the Successor Agency to the Community Redevelopment Agency of the City of Moreno
26 Valley, a separate legal entity (the “Successor Agency”) was formed to and charged with paying
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1 the enforceable obligations, disposing of the properties and other assets, and unwinding the affairs
2 of the dissolved Former Agency;

3 **WHEREAS**, upon dissolution of the Former Agency, all authority, rights, powers, duties
4 and obligations previously vested with the Former Agency (except for the Former Agency's
5 housing assets and functions) under the CRL vested in the Successor Agency, which was declared
6 a separate legal entity effective June 27, 2012;

7 **WHEREAS**, Section 34179(j) of the Health and Safety Code provides for the appointment
8 of a countywide oversight board (the "Countywide Oversight Board") with specific duties to
9 approve certain Successor Agency actions pursuant to Section 34180 of the Health and Safety
10 Code and to direct the Successor Agency in certain other actions pursuant to Section 34181 of the
11 Health and Safety Code;

12 **WHEREAS**, the Successor Agency staff has prepared the proposed Amended Recognized
13 Obligation Payment Schedule (18-19B) for the period of January 1, 2019 through June 30, 2019
14 ("Amended ROPS 18-19B"), substantially in the form shown in Attachment "A", attached hereto
15 and incorporated herein by this reference;

16 **WHEREAS**, the City Council of the City of Moreno Valley acting in its capacity as the
17 governing board of the Successor Agency, approved the Amended ROPS 18-19B by adoption of
18 Resolution No. SA 2018-04, shown in Attachment "B", attached hereto and incorporated herein
19 by this reference;

20 **WHEREAS**, under Resolution No. SA 2018-04, the Successor Agency's governing board
21 represents and warrants that it examined all of the items on the Amended ROPS 18-19B and finds
22 that each of them is necessary for the continued maintenance and preservation of property owned
23 by the Successor Agency until disposition in accordance with the Dissolution Act, the continued
24 administration of the ongoing enforceable obligations, or the expeditious wind-down of the affairs
25 of the Former Agency by the Successor Agency;

26 **WHEREAS**, pursuant to Section 34177 and 34180(g) of the Health and Safety Code, the
27 ROPS FY 2018-19B must be submitted to the Countywide Oversight Board for its approval; and
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1 WHEREAS, the accompanying staff report, and attachments, attached hereto and
2 incorporated herein by this reference, provide the supporting information upon which the actions
3 set forth in this Resolution are based.

4 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND**
5 **ORDERED** by the Countywide Oversight Board, in regular meeting assembled on September 20,
6 2018 in the meeting room located on the 1st floor of the County Administrative Center, 4080
7 Lemon Street, Riverside, California, as follows:

- 8 1. The Countywide Oversight Board hereby finds, resolves, and determines that the
9 foregoing recitals are true and correct and are incorporated herein by reference,
10 and, together with information provided by the City of Moreno Valley staff and the
11 public, form the basis for the approvals, findings, resolutions, and determinations
12 set forth below.
- 13 2. Pursuant to the California Environmental Quality Act (CEQA), based upon a
14 review of the evidence and information presented on the matter as it relates to the
15 adoption of the Amended ROPS 18-19B, the Countywide Oversight Board has
16 determined that such approval is categorically exempt from CEQA pursuant to
17 Section 15061(b)(3) of the State CEQA Guidelines because there is no possibility
18 that the activities in question will have a significant impact on the environment and
19 the amendment is merely the adoption of annual budget; it will not require any
20 construction activities and will not lead to any direct or reasonably foreseeable
21 indirect physical environmental impacts;
- 22 3. That the Successor Agency's Executive Director's designee is directed to file a
23 Notice of Exemption with respect to the actions approved under this Resolution in
24 accordance with CEQA.
- 25 4. Under Section 34180(g) of the Health and Safety Code, the Countywide Oversight
26 Board must approve the establishment of the recognized obligation payment
27 schedules of the Successor Agency.

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5. The Countywide Oversight Board hereby approves the Amended ROPS 18-19B attached hereto as Attachment A (the “Approved Amended ROPS 18-19B”). In connection with such approval, the Countywide Oversight Board makes the specific findings set forth below.
6. The Countywide Oversight Board has examined the items on the Approved Amended ROPS 18-19B and finds that each of them is necessary for the continued maintenance and preservation of property owned by the Successor Agency until disposition in accordance with the Dissolution Act, the continued administration of the ongoing agreements herein approved by the Countywide Oversight Board, or the expeditious wind-down of the affairs of the Dissolved RDA by the Successor Agency.
7. The Countywide Oversight Board has examined the items on the Approved Amended ROPS 18-19B and finds that the revision to the ROPS is necessary for the payment of approved enforceable obligations during the Amended ROPS 18-19B period of January 1, 2019 through June 30, 2019.
8. The Countywide Oversight Board Chairperson, Successor Agency Executive Director, and Countywide Oversight Board General Counsel are collectively authorized to make any technical or clerical corrections to the Approved Amended ROPS 18-19B prior to filing with the Department.
9. The Countywide Oversight Board hereby authorizes and directs the Executive Director of the Successor Agency of the Community Redevelopment Agency of the City of Moreno Valley (“Successor Agency's Director”), or the Successor Agency's Director's designees, to take all actions and sign any and all documents necessary to implement and effectuate the actions approved by this Resolution as determined necessary by the Successor Agency's Director, or the Successor Agency's Director's designee. The Countywide Oversight Board hereby further authorizes and directs the Successor Agency's Executive Director, or Successor Agency's Director's

1 designee, to execute all documents on behalf of the Successor Agency, and to
2 administer the Successor Agency's obligations and duties to be performed pursuant
3 to this Resolution.

4 10. If any provision of this Resolution or the application of any such provision to any
5 person or circumstance is held invalid, such invalidity shall not affect other
6 provisions or applications of this Resolution that can be given effect without the
7 invalid provision or application, and to this end the provisions of this Resolution
8 are severable. The Countywide Oversight Board declares that the Countywide
9 Oversight Board would have adopted this Resolution irrespective of the invalidity
10 of any particular portion of this Resolution.

11 11. The Countywide Oversight Board hereby authorizes and directs the County
12 Executive Office staff and the Successor Agency staff to take all actions necessary
13 under the Dissolution Act to file, post, mail or otherwise deliver via electronic mail,
14 internet posting, and/or hardcopy, all notices and transmittals necessary or
15 convenient in connection with the approval of this Resolution.

16 12. Pursuant to Health and Safety Code Section 34179, specified actions taken by the
17 Countywide Oversight Board may be reviewed by the State of California
18 Department of Finance, and, therefore, this Resolution shall not be effective until
19 five (5) business days after approval, subject to a request for review by the State of
20 California Department of Finance, or at the time and in the manner prescribed in
21 Section 34179(h) of the Health and Safety Code.

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23 **PASSED, APPROVED, AND ADOPTED** by the Countywide Oversight Board for the
24 County of Riverside on September 20, 2018.


1 I hereby certify the forgoing to be a true copy of a resolution passed and adopted by the
2 Countywide Oversight Board for the County of Riverside at a regular meeting thereof held on
3 September 20, 2018, by the following vote:

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5 AYES: 6 BOARD MEMBERS: Williams, Kelly, Jessup, Brown, Scott

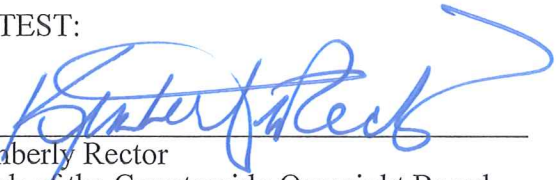
6 NOES: BOARD MEMBERS:

7 ABSTAIN: BOARD MEMBERS:

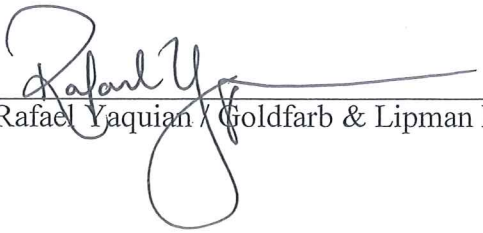
8 ABSENT: 1 BOARD MEMBERS: Washington

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10 Phil Williams
Chairman, Countywide Oversight Board

11 ATTEST:

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13 Kimberly Rector
14 Clerk of the Countywide Oversight Board

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16 APPROVED AS TO FORM:
17 Countywide Oversight Board Legal Counsel

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19 By: 
20 Rafael Yaquian / Goldfarb & Lipman LLC

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22 Attachments incorporated by reference:
23 Approved Amended ROPS 18-19B
24 Successor Agency Resolution No 2018-04 Approving Amended ROPS 18-19B

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Amended Recognized Obligation Payment Schedule (ROPS 18-19B) - Summary

Filed for the January 1, 2019 through June 30, 2019 Period

Successor Agency: Moreno Valley
 County: Riverside

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	ROPS 18-19B Authorized Amounts	ROPS 18-19B Requested Adjustments	ROPS 18-19B Amended Total
A Enforceable Obligations Funded as Follows (B+C+D):	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 2,539,701	\$ 102,181	\$ 2,641,882
F RPTTF	2,414,701	102,181	2,516,882
G Administrative RPTTF	125,000	-	125,000
H Current Period Enforceable Obligations (A+E):	\$ 2,539,701	\$ 102,181	\$ 2,641,882

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.

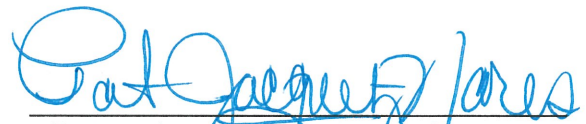
 Name Title
 /s/_____
 Signature Date

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, Secretary of the Successor Agency of the City of Moreno Valley, California, do hereby certify and attest the foregoing to be a true and correct copy of the original Resolution No. SA 2018-04 on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Moreno Valley Successor Agency, this 7th day of September, 2018.


Pat Jacquez-Nares, Secretary,
Moreno Valley Successor Agency

(SEAL)



RESOLUTION NO. SA 2018-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, SERVING AS SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2019 THROUGH JUNE 30, 2019 (ROPS 18-19B), AND AUTHORIZING THE CITY MANAGER ACTING FOR THE SUCCESSOR AGENCY OR HIS/HER DESIGNEE TO MAKE MINOR MODIFICATIONS THERETO

WHEREAS, the City Council of the City of Moreno Valley agreed to serve as successor agency to the Community Redevelopment Agency of the City of Moreno Valley (“Former RDA”) commencing upon dissolution of the Former RDA on February 1, 2012 pursuant to Assembly Bill x1 26, as amended by AB 1484; and

WHEREAS, pursuant to Health and Safety Code Section 34177(l), before each six-month fiscal period, the successor agency to a dissolved redevelopment agency such as the Former RDA is required to adopt a draft Recognized Obligation Payment Schedule (“ROPS”) that lists all of the obligations that are “enforceable obligations” within the meaning of Health and Safety Code Section 34171, and which identifies a source of payment for each such obligation from among (i) the Low and Moderate Income Housing Fund; (ii) bond proceeds; (iii) reserve balances; (iv) the administrative cost allowance; (v) revenues from rents, concessions, interest earnings, and asset sales; and (vi) the Redevelopment Property Tax Trust Fund established by the County Auditor-Controller to the extent no other source of funding is available or payment from property tax is contractually or statutorily required; and

WHEREAS, the City of Moreno Valley (“City”), acting as the successor agency to the Former RDA (“Successor Agency”) has prepared a ROPS covering the period January 1, 2019 through June 30, 2019 (“ROPS 18-19B”); and

WHEREAS, the draft ROPS must be concurrently submitted to the County Administrative Officer, the County Auditor-Controller, the State Department of Finance, and the Successor Agency’s oversight board (“Oversight Board”).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, SERVING AS THE SUCCESSOR AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. RECITALS

That the foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

SECTION 2. APPROVAL OF ROPS 18-19B

That the City Council acting on behalf of the Successor Agency hereby approve and adopt ROPS 18-19B, in substantially the form attached hereto as Exhibit "A."

SECTION 3. TRANSMITTAL

That City staff, acting for the Successor Agency, is directed to transmit the ROPS 18-19B to the Oversight Board, County Administrative Officer, the County Auditor-Controller, and the State Department of Finance.

Section 4. OTHER ACTS

That the City Manager, acting for the Successor Agency, or his/her designee is hereby authorized to make minor modifications to the ROPS 18-19B, and each officer of the City, acting for the Successor Agency, is hereby authorized and directed, jointly and severally, to execute and deliver such documents and instruments and to do such things which may be necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken by such officers are hereby ratified, approved and confirmed. Such acts shall include, but shall not be limited to, reformatting of the ROPS 18-19B as may be required by the Department of Finance.

Section 5. SEVERABILITY

That if any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council acting for the Successor Agency hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.


Section 6. EFFECTIVE DATE

That this Resolution shall take effect immediately upon adoption.

Section 7. CERTIFICATION

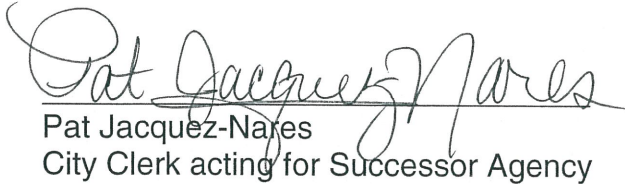
That the City Clerk acting for the Successor Agency shall certify to the passage of this Resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 4th day of September 2018.



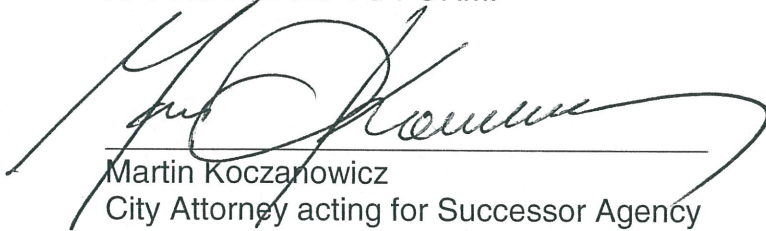
Dr. Yxstian A. Gutierrez
Mayor acting for Successor Agency
City of Moreno Valley

ATTEST:



Pat Jacquez-Nares
City Clerk acting for Successor Agency

APPROVED AS TO FORM:



Martin Koczanowicz
City Attorney acting for Successor Agency

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. SA 2018-04 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 4th day of September, 2018 by the following vote:

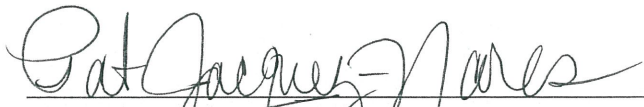
AYES: Council Member Giba, Council Member Marquez, Council Member
 Cabrera, and Mayor Pro Tem Baca

NOES: None

ABSENT: Mayor Gutierrez

ABSTAIN: None

(Council Members, Mayor Pro Tem and Mayor)



PAT JACQUEZ-NARES, CITY CLERK

(SEAL)

EXHIBIT "A"

ROPS 18-19B COVERING JANUARY 1, 2019 THROUGH JUNE 30, 2019

SEE ATTACHED

