



Town of Apple Valley

OVERSIGHT BOARD

OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY REDEVELOPMENT AGENCY

AGENDA

REGULAR SESSION

MARCH 19, 2012

4:00 P.M.

PLEASE SILENCE CELL PHONES AND PAGERS UPON ENTERING THE CHAMBERS

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

PRESENTATIONS

3. Introduction of Board Members and Staff
4. Board Members to Affirm Oath of Office
5. Role and Purpose of Oversight Board and Overview of RDA Dissolution

PUBLIC COMMENT

BUSINESS ITEMS

6. Election of Chairperson and Vice Chairperson
7. Selection of Staff Contact
8. Adoption of Rules of Procedures
9. Adoption of Recognized Obligation Payment Schedule (ROPS)
10. Adoption of Successor Agency Administrative Budget

ADJOURN

- Set Time and Date for Next Meeting



Town of Apple Valley

OVERSIGHT BOARD

OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY REDEVELOPMENT AGENCY

PUBLIC NOTICE OF MEETING

The meeting will occur in the Council Chambers located at 14955 Dale Evans Parkway in Apple Valley, California.

This agenda contains a brief description of each item of business to be considered at today's meeting. The agenda, its supporting documents and all writings received by the Successor Agency related to these items are public records and available for review during regular business hours in the Town Clerk's Office at 14955 Dale Evans Parkway, Apple Valley, CA, during normal business hours.

The agenda and its supporting documents can be viewed online at <http://www.applevalley.org>. However, the online agenda may not include all available supporting documents or the most current version of documents. Materials related to an item on this agenda submitted to the Oversight Board after distribution of the agenda packet are available for public inspection in the Town Clerk's Office.

In accordance with the Rules of Procedure members of the public may address the Oversight Board on any item on the agenda and on any matter that is within the Town Council's jurisdiction. To address the Town Council regarding an item, complete and submit the yellow card entitled Request to Speak. Please indicate on the card whether you are speaking under Public Comments or on an item that is listed on the agenda and please list the item number.

When called, approach the podium and please state your name before giving your presentation. Speakers may address the Oversight Board for up to three (3) minutes. Speakers are to address the Oversight Board as a whole through the Chairperson. Comments to individual Board Members and/or staff are not permitted.

Individuals, who demonstrate disruptive conduct during the meeting that prevent the Oversight Board from conducting its meeting in an orderly manner, are guilty of a misdemeanor as stated in Section 2.04.030 of the Town of Apple Valley Municipal Code and are subject to removal from the Chambers or arrest.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk's Office at (760) 240-7000 two working days prior to the scheduled meeting for any requests for reasonable accommodations.



Town of Apple Valley

OVERSIGHT BOARD

OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY REDEVELOPMENT AGENCY

Date: March 19, 2012
Item No: 6
To: Oversight Board
From: Orlando Acevedo, Economic Development Specialist
Subject: **ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON**

RECOMMENDED ACTION

Move to elect one member to serve as Chairperson and elect one member to serve as Vice Chairperson of the Oversight Board for the 2012 calendar year.

SUMMARY

To help ensure the Oversight Board meetings proceed in an orderly manner, a Chairperson must be elected to preside over the Oversight Board meetings. A Vice Chairperson should also be elected to preside over the meeting when the Chairperson is absent. Staff recommends that one-year terms be adopted.

All actions must be taken on a majority vote of the total membership of the Oversight Board. Given that the Oversight Board will have seven (7) members, four (4) affirmative votes are needed to pass a motion.

BACKGROUND

Pursuant to ABx1 26, Health and Safety Code Section 34179, each successor agency shall have an Oversight Board composed of seven members. The members shall elect one of their members as the Chairperson and shall report the name of the Chairperson and other members to the State Department of Finance on or before May 1, 2012.

Oversight Boards shall have fiduciary responsibilities to holders of enforceable obligations and the taxing entities that benefit from distribution of property tax and other revenues pursuant to state law. Oversight Boards are tasked with reviewing and approving the Successor Agency's Recognized Obligation Payment Schedule in order to be submitted to the County Auditor-Controller, State Controller and the Department of Finance.



Town of Apple Valley

OVERSIGHT BOARD

OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY REDEVELOPMENT AGENCY

Date: March 19, 2012
Item No: 7
To: Oversight Board
From: Orlando Acevedo, Economic Development Specialist
Subject: **ADOPT RESOLUTION NO. 2012-01, DESIGNATING A CONTACT PERSON FOR
THE STATE OF CALIFORNIA DEPARTMENT OF FINANCE**

RECOMMENDED ACTION

That the Oversight Board of the Successor Agency to the dissolved Apple Valley Redevelopment Agency adopt the attached Resolution No. 2012-01 designating a contact person for the State of California Department of Finance (“DOF”) pursuant to Health and Safety Code section 34179(h).

SUMMARY

The Oversight Board's actions are subject to DOF review. To accommodate DOF requests for review of Oversight Board actions, the Board is required to designate an official (“Oversight Board Contact”) to whom the DOF may make such requests.

Based upon the foregoing, staff recommends the Oversight Board designate Orlando Acevedo, Economic Development Specialist, as the Oversight Board Contact and adopt Resolution No. 2012-01 and direct the Oversight Board Contact to provide to the DOF his telephone number and email address.

BACKGROUND

As stated above, because the DOF may review all Board actions pursuant to Health and Safety Code section 34179(h), each Oversight Board is required to designate an official to whom the DOF may make such requests for review and who shall provide the DOF with the telephone number and e-mail contact information for the purpose of communicating with the DOF.

OVERSIGHT BOARD RESOLUTION NO. 2012-01

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE TOWN OF APPLE VALLEY, DESIGNATING AN OFFICIAL AS THE CONTACT PERSON FOR THE STATE OF CALIFORNIA DEPARTMENT OF FINANCE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179(h)

WHEREAS, pursuant to Health and Safety Code section 34173(d), the Town of Apple Valley (“RDA Successor Agency”) is the successor agency to the dissolved Apple Valley Redevelopment Agency (“Agency”), confirmed by Resolution No. 2012-03 adopted on January 10, 2012; and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency’s oversight board pursuant to Health and Safety Code section 34179(a); and

WHEREAS, Health and Safety Code section 34179(h) provides that each oversight board shall designate an official (“Oversight Board Contact”) to whom the State of California Department of Finance (“DOF”) may make requests regarding review of oversight board actions.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE TOWN OF APPLE VALLEY 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. CEQA Compliance. The designation of an Oversight Board Contact through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The Town Clerk of the Town of Apple Valley, acting on behalf of the Oversight Board, is authorized and directed to file a Notice of Exemption with the appropriate official of the County of San Bernardino, California, within five (5) days following the date of adoption of this Resolution.

SECTION 3. Designation of Oversight Board Contact. The Oversight Board hereby designates Orlando Acevedo, Economic Development Specialist, as the Oversight Board Contact pursuant to Health and Safety Code Section 34179(h).

SECTION 4. Implementation. The Oversight Board Contact is hereby directed to identify him or herself to the DOF and provide the DOF with the Oversight Board Contact’s telephone number and e-mail contact information pursuant to Health and Safety Code section 34179(h).

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

SECTION 6. Certification. The Town Clerk of the Town of Apple Valley, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

SECTION 7. Effective Date. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for three (3) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED AND ADOPTED this 19th day of March, 2012.

Oversight Board Chairperson

ATTEST:

Oversight Board Secretary



Town of Apple Valley

OVERSIGHT BOARD

OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY REDEVELOPMENT AGENCY

Date: March 19, 2012
Item No: 8
To: Oversight Board
From: Orlando Acevedo, Economic Development Specialist
Subject: **ADOPTION OF RULES OF PROCEDURE FOR THE OVERSIGHT BOARD**

RECOMMENDED ACTION

Move to adopt Rules of Procedure for the Oversight Board.

SUMMARY

Rules of Procedure will need to be adopted in order to facilitate the process of the meetings and establish the procedural rules for the Oversight Board. Staff has prepared and attached a recommended Rules of Procedure for the Oversight Board's consideration.

BACKGROUND

Pursuant to ABx1 26, Health and Safety Code Section 34179 (d) Oversight Board Members shall have personal immunity from suit for their actions taken within the scope of their responsibilities as Members, and, (e) the Oversight Board shall be deemed to be a local entity for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974, and (g) each Member shall serve at the pleasure of the entity that appointed such Member.

OVERSIGHT BOARD
OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY
REDEVELOPMENT AGENCY

RULES OF PROCEDURE

MEETINGS AND RELATED FUNCTIONS AND ACTIVITIES

PURPOSE: The purpose and intent of the Oversight Board (“Board”) in adopting the rules within shall be to provide directory guidelines relating to the conduct of the public business by or on behalf of the Board, and in the event of any noncompliance with or violation of any provision herein, such will not be deemed to affect the validity of any action taken.

RULE 1. REGULAR MEETINGS

Regular Meetings of the Board shall not be established at this time. Meeting dates and times will be determined by Successor Agency staff (“staff”) upon the need for further action by the Board per the schedule of redevelopment dissolution activities pursuant to Assembly Bill 26.

RULE 2. MEETING PLACE

Meetings of the Board shall be held in the Town Council Chambers, Apple Valley Town Hall, 14955 Dale Evans Parkway, Apple Valley, California, 92307, unless another location with the Town of Apple Valley is identified for a particular meeting.

RULE 3. OPEN MEETINGS

All meetings of the Board shall be open and public, and all persons shall be permitted to attend any meeting except as otherwise provided herein.

RULE 4. ADJOURNED MEETINGS

The Board may adjourn any meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. When a regular or adjourned regular meeting is adjourned as provided herein, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings.

RULE 5. SPECIAL MEETINGS

A Special Meeting may be called at any time by the Presiding Officer or by a majority of the Board members, by delivering personally, by mail or by electronic mail a notice to each Board members and to the newspaper of general circulation. Such notice shall be received and posted at least twenty-four (24) hours before the time of the meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meeting by the Board.

RULE 6. AGENDAS AND NOTICES OF MEETINGS

In respect to every regular meeting, the Agendas shall be posted at least 72 hours prior to the time scheduled for meetings. Agendas shall be on the Successor Agency’s website.

RULE 7. QUORUM

Four Board members shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. Every official act of the Board shall be adopted by a majority voice except in situations where the law calls for a vote of greater than a majority. A “majority vote shall mean a majority of the full Board (i.e., four affirmative votes).

RULE 8. ORDER OF BUSINESS

The regular order of business of the Board shall be:

- Call to Order
- Roll Call
- Pledge of Allegiance
- Presentations
- Public Comments
- Business Items
- Reports and Informational Items
- Chair and Board Comments
- Adjournment

RULE 9. CHAIR AND VICE CHAIR

The Chair shall be the Presiding Officer at all Board meetings. In the absence of the Chair, the Vice Chair shall preside. In the absence of the Chair and Vice Chair, the Board shall select a temporary Presiding Officer to serve until the arrival of the Chair or Vice Chair or until adjournment.

The Board shall select its Chair and Vice Chair, respectively, by majority vote, at its first meeting of the calendar year.

RULE 10. QUESTIONS OF LAW

All questions of law shall be referred by the Board to the Successor Agency counsel for opinion.

RULE 11. PREPARATION OF AGENDA

The agenda shall be prepared by the staff for each Board meeting and shall contain a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall specify the time and location of the regular meeting and shall be posted at least 72 hours before the meeting in a location that is freely accessible to members of the public. All proposed agenda items shall be approved for placement on the agenda by the Successor Agency staff before being placed on the agenda.

RULE 12. AGENDA PROCEDURE

No action shall be taken on any item not appearing on the posted agenda; however, the Board may take action on items of business not appearing on the posted agenda under any of the following conditions:

- a. Upon determination by a majority vote of the Board that an emergency situation exists, as defined in Section 54956.5 of the Government Code.
- b. Upon a determination by a two-thirds (2/3) vote of the Board, or, if less than two-thirds (2/3) of the Board members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the Board subsequent to the posting of the agenda.
- c. The item was posted on the agenda for a prior meeting of the Board occurring not more than five (5) calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

RULE 13. RECONSIDERATION

At the same meeting or at the meeting succeeding that at which a final vote on any question has been taken, said vote may be reconsidered on the motion of any member of the Board, if notice of intention

to move such reconsideration has been given at the meeting at which such final vote was taken by a member voting with the majority.

RULE 14. ADDRESSING THE BOARD

a. Manner in Addressing Council

Any member of the public may address the Board: (1) on an agenda item before or during the Board's consideration of the item, and (2) on any matter not on the Agenda that is within the subject matter jurisdiction of the Board at the time provided on the agenda for public comment, provided the person submits a completed Request to Speak Card to the Clerk PRIOR to the time the Presiding Officer calls the item for the Board's consideration. The person wishing to address the Board shall, when recognized by the Presiding Officer, step up to the podium and announce his or her name and address. The Presiding Officer shall, in the interest of facilitating the business of the Board, limit the amount of time which a member of the public may use in addressing the Board to three (3) minutes total on each discussion item.

b. Time Limitation

As stated in Subsection (a) any member of the public desiring to address the Board shall limit his/her address to three (3) minutes unless additional further time has been granted by the Presiding Officer or a majority of the Board.

c. Addressing the Town Council after Motion is Made

After a motion has been made, or after a public hearing has been closed, no member of the public shall address the Board on the matter without first securing permission by the Presiding Officer or by a majority of the Board.

RULE 15. DECORUM AND ORDER

a. Town Council

- (1) Any Member desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine himself to the question under debate.
- (2) A Member desiring to question a staff member other than the presenter of an item shall address his/her question to the presenter, who shall be entitled either to answer the inquiry themselves or to designate some member of staff for that purpose.
- (3) A Member, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer, unless a Point of Order is raised by another Member, or unless the speaker chooses to yield to questions from another Member.
- (4) Any Member called to order while he is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he shall be permitted to proceed. If ruled to be out of order, he shall remain silent or alter his remarks, so as to comply with rules of the Board.
- (5) Members shall accord the utmost courtesy to each other, to Successor Agency employees, and to the public appearing before the Board and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.
- (6) Any Member may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Board shall require him to so act. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.

b. Employees

Staff members of the Successor Agency shall observe the same Rules of Procedure and decorum applicable to Board members. Any staff member desiring to address the Board

shall first be recognized by the Presiding Officer. All remarks shall be addressed to the Presiding Officer and not to any one individual Member or member of the public.

c. Public

Members of the public attending Board meetings should observe the same Rules of Procedure and decorum applicable to the Board and Staff. No person except Town officials shall be permitted within the platform area in front of the Board dais without the invitation or consent of the Presiding Officer.

RULE 16. DISRUPTIVE CONDUCT – REMOVAL FROM CHAMBERS.

Disruptive conduct is described as any impertinent and/or slanderous remarks or any boisterous behavior while addressing the Board or while attending the Board Meeting. In the event that any Board meeting is willfully disrupted by a person or by a group or groups of persons so as to render the orderly conduct of the meeting impossible, the Presiding Officer may recess the meeting or order the person, group or groups of persons willfully disrupting the meeting to leave the meeting or be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, failing to be seated when requested, stomping of feet, whistles, yells and similar demonstrations that prevent the Board from conducting its meeting in an orderly manner.

RULE 17. ENFORCEMENT OF DECORUM

As set forth in Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Board may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Board from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

RULE 18. CONFLICT OF INTEREST

Members are subject to the provisions of California Law, including but not limited to, Chapter 7, Title 9, of the California Government Code, relative to any conflicts of interest.

RULE 19. LIMITATION OF DEBATE

No member normally should speak more than once upon one subject until every other member choosing to speak thereon has spoken. No member shall speak for a longer time than five minutes each time he has the floor, without the consent of a majority of the Council.

RULE 20. PROCEDURES IN ABSENCE OF RULES

In the absence of a rule herein to govern a point or procedure, Robert's Rules of Order, Newly Revised, shall be used as a guide.

RULE 21. RULINGS OF PRESIDING OFFICER FINAL UNLESS OVERRULED

In presiding over meetings, Presiding Officer shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings, and may seek the advice of the Successor Agency staff in such matters. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the members present and voting, and shall be binding and effective (even though clearly erroneous) for purposes of the matter under consideration.

RULE 22. ACTIONS NOT INVALIDATED

Failure to strictly comply with these Rules of Procedure shall not necessarily invalidate any action taken by the Board. References in these rules to "he" or "she," or to the singular or plural, shall each be deemed to include the other when the context so allows. The application of these rules shall be subject to and subordinate to all provisions of applicable law.



Town of Apple Valley

OVERSIGHT BOARD

OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY REDEVELOPMENT AGENCY

Date: March 19, 2012
Item No: 9
To: Oversight Board
From: Orlando Acevedo, Economic Development Specialist
Subject: **ADOPT RESOLUTION NO. 2012-02, ADOPTING THE RECOGNIZED
OBLIGATIONS PAYMENT SCHEDULE**

RECOMMENDED ACTION

That the Oversight Board of the Successor Agency to the dissolved Apple Valley Redevelopment Agency adopt the attached Resolution No. 2012-02 approving a recognized obligation payment schedule pursuant to Health and Safety Code section 34177(l).

SUMMARY

The Successor Agency to the dissolved Redevelopment Agency of the Town of Apple Valley ("Agency") may only pay the debts and obligations of the dissolved Redevelopment Agency provided on a Recognized Obligation Payment Schedule ("ROPS"). The Oversight Board of the Successor Agency is required to approve the ROPS, subject to review by the State of California Department of Finance ("DOF"), so that the Successor Agency may pay the dissolved Agency's debts and obligations.

The attached resolution includes the ROPS, setting forth the enforceable obligations and the amount of payments to be made for each of them, by month, from January, 2012 through June, 2012.

Based upon the foregoing, staff recommends adoption of Resolution 2012-02.

BACKGROUND:

The Town Council, at its January 10th meeting, adopted Resolution No. 2012-03 for the Town to serve as the Successor Agency. One of the Successor Agency's responsibilities pursuant to Health and Safety Code section 34177(l) is to prepare a draft ROPS by March 1, 2012, listing all of the outstanding debts and obligations of the former Agency for the period from February 1, 2012, through June 30, 2012, submit the draft ROPS to the County of San Bernardino Auditor-Controller ("Auditor-Controller") for certification as to its accuracy, and, Auditor-Controller certification, submit the draft ROPS to the Oversight Board for approval.

The ROPS was prepared by the Successor Agency and submitted to the Auditor-Controller as of March 1, 2012. It now requires Oversight Board approval in order to become effective pursuant to Health and Safety Code sections 34177(l) and 34180(g). Once it is approved by the Oversight Board and becomes effective, the Successor Agency may receive funds from the Auditor-Controller to pay the dissolved Agency's existing debts and obligations provided in the ROPS. Upon Oversight Board approval, the

Successor Agency should provide a copy of the approved ROPS to the Auditor-Controller, the State of California Department of Finance, and the State of California Controller, and post the approved ROPS on the Successor Agency's website.

Pursuant to Health and Safety Code section 34179(h), because the DOF may review Oversight Board actions, the Oversight Board's action to approve the ROPS is not effective for three business days, pending a request for review by the DOF.

It is recommended that a second ROPS will need to be approved by the Oversight Board prior to April 15th for the period of July 1st through December 31st and every six months thereafter.

RESOLUTION NO. 2012-02

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE TOWN OF APPLE VALLEY, APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(I)

WHEREAS, pursuant to Health and Safety Code section 34173(d), the Town of Apple Valley ("RDA Successor Agency") is the successor agency to the dissolved Redevelopment Agency of the Town of Apple Valley ("Agency"), confirmed by Resolution No. 2012-03 adopted on January 10, 2012; and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency's oversight board pursuant to Health and Safety Code section 34179(a); and

WHEREAS, Health and Safety Code section 34177(l)(2), as modified by the Supreme Court opinion in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, requires the RDA Successor Agency to prepare an initial draft of a "recognized obligation payment schedule" ("ROPS") by March 1, 2012, listing outstanding obligations of the Agency to be performed by the RDA Successor Agency during the time period from February 1, 2012, through June 30, 2012; and

WHEREAS, Health and Safety Code section 34177(l)(2) requires the RDA Successor Agency to submit the initial draft of the ROPS to the County of San Bernardino Auditor-Controller, or its designee, for the auditor's review and certification as to the accuracy of the ROPS; and

WHEREAS, Health and Safety Code section 34177(l)(2) requires the RDA Successor Agency to submit the ROPS certified by the external auditor to the Oversight Board for approval and, upon such approval, the RDA Successor Agency is required to submit a copy of such approved ROPS to the County of San Bernardino Auditor-Controller, the California State Controller, and the State of California Department of Finance and post the Approved ROPS on the RDA Successor Agency's website; and

WHEREAS, Health and Safety Code section 34180(g) requires the Oversight Board to approve the RDA Successor Agency's establishment of the ROPS prior to the RDA Successor Agency acting upon the ROPS; and

WHEREAS, RDA Successor Agency staff has prepared an initial draft of the ROPS and submitted it to the County of San Bernardino Auditor-Controller prior to March 1, 2012; and

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE TOWN OF APPLE VALLEY 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. CEQA Compliance. The approval of the ROPS through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The Town Clerk of the Town of Apple Valley, acting on behalf of the Oversight Board as its Secretary, is authorized and directed to file a Notice of Exemption with the appropriate official of the County of San Bernardino, California, within five (5) days following the date of adoption of this Resolution.

SECTION 3. Approval of the ROPS. The Oversight Board hereby approves and adopts the ROPS, in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177.

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

SECTION 5. Certification. The Town Clerk of the Town of Apple Valley, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

SECTION 6. Effective Date. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for three (3) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED AND ADOPTED this 19th day of March, 2012.

Oversight Board Chairperson

ATTEST:

Oversight Board Secretary

EXHIBIT A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE

[Attached behind this page]



Town of Apple Valley

OVERSIGHT BOARD

OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY REDEVELOPMENT AGENCY

Date: March 19, 2012
Item No: 10
To: Oversight Board
From: Orlando Acevedo, Economic Development Specialist
Subject: **ADOPT RESOLUTION NO. 2012-03, APPROVING THE ADMINISTRATIVE BUDGET FOR THE SUCCESSOR AGENCY**

RECOMMENDED ACTION

That the Oversight Board of the Successor Agency to the dissolved Apple Valley Redevelopment Agency, adopt the attached Resolution No. 2012-03 approving the Successor Agency's administrative budget pursuant to Health and Safety Code section 34177(j).

SUMMARY

The Successor Agency is also required to prepare an administrative budget providing all of the administrative costs it will incur, subject to the Oversight Board's approval.

Based upon the foregoing, staff recommends adoption of Resolution No. 2012-03

BACKGROUND

Pursuant to Health and Safety Code section 34177(j), the Successor Agency is required to prepare a proposed administrative budget ("Budget") and submit it for approval to the Oversight Board. The Budget is required to include all of the following: (1) estimated amounts for Successor Agency administrative costs for the period between February 1, 2012 through June 30, 2012; (2) proposed sources of payment for all administrative costs; (3) proposals for arrangements for administrative and operations services provided by the Town of Apple Valley.

Pursuant to Health and Safety Code section 34179(h), because the DOF may review Oversight Board actions, the Oversight Board's action to approve the Budget is not effective for three business days, pending a request for review by the DOF.

RESOLUTION NO. 2012-03

A RESOLUTION OF THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED APPLE VALLEY REDEVELOPMENT AGENCY, APPROVING THE SUCCESSOR AGENCY'S ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)

WHEREAS, pursuant to Health and Safety Code section 34173(d), the Town of Apple Valley ("RDA Successor Agency") is the successor agency to the dissolved Redevelopment Agency of the Town of Apple Valley ("Agency"), confirmed by Resolution No. 2012-03 adopted on January __, 2012; and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, the Oversight Board is the RDA Successor Agency's oversight board pursuant to Health and Safety Code section 34179(a); and

WHEREAS, Health and Safety Code section 34177(j) requires the RDA Successor Agency to prepare a proposed administrative budget ("Administrative Budget") and submit it to the Oversight Board for the Oversight Board's approval; and

WHEREAS, the RDA Successor Agency has submitted the Administrative Budget to the Oversight Board.

NOW, THEREFORE, THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE TOWN OF APPLE VALLEY 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. CEQA Compliance. The approval of the Administrative Budget through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The Town Clerk of the Town of Apple Valley, acting on behalf of the Oversight Board, is authorized and directed to file a Notice of Exemption with the appropriate official of the County of San Bernardino, California, within five (5) days following the date of adoption of this Resolution.

SECTION 3. Approval of the Administrative Budget. The Oversight Board hereby approves and adopts the Administrative Budget, in substantially the form attached to this Resolution as Exhibit A, pursuant to Health and Safety Code Section 34177.

SECTION 4. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Oversight Board declares that the

Oversight Board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

SECTION 6. Certification. The Town Clerk of the Town of Apple Valley, acting on behalf of the Oversight Board as its Secretary, shall certify to the adoption of this Resolution.

SECTION 7. Effective Date. Pursuant to Health and Safety Code section 34179(h), all actions taken by the Oversight Board may be reviewed by the State of California Department of Finance, and, therefore, this Resolution shall not be effective for three (3) business days, pending a request for review by the State of California Department of Finance.

PASSED, APPROVED AND ADOPTED this 19th day of March, 2012.

Oversight Board Chairperson

ATTEST:

Oversight Board Secretary

Administrative Budget
Of the Successor Agency to the Dissolved Apple Valley Redevelopment Agency

Proposed Budget
February 1-June 30, 2012

Revenue Classification

Administrative Cost Allowance	266,975
General Fund	154,055
Total Revenues	421,000

Expenditure Classification

Personnel Services	334,000
Education & Training	6,000
Meetings & Conferences	1,000
Mileage	5,000
Office Expenses	14,000
Postage	500
Printing	500
Audit	12,000
Contract Services	18,000
Legal	30,000
Total Expenditures	421,000