



OVERSIGHT BOARD TO THE CITY OF WINTERS SUCCESSOR AGENCY TO  
THE WINTERS COMMUNITY DEVELOPMENT AGENCY

City Council Chambers  
318 First Street  
Monday, February 4, 2013

**2:00 p.m. – Regular Meeting**

**REVISED**  
**AGENDA**

*Members of the Oversight Board*

Harold Anderson- City of Winters  
Sarah Chapman- Solano College District  
Diane Cirolini- Yolo County Office of Education  
Larry Justus- Winters Cemetery District  
Nanci Mills- City of Winters CDA Employees  
Jiley Romney- Yolo County Public Appointee  
Don Saylor- Yolo County

*Staff to Oversight Board*

John W. Donlevy, Jr., City Manager  
Shelly Gunby, Director of Financial Management  
Dan Maguire, Housing Programs Manager  
Mary Jo Rodolfa, Secretary to Oversight Board

**PLEASE NOTE –** The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Chairman of other Board Members. Public comments time may be limited and speakers will be asked to state their name.

Roll Call

Pledge of Allegiance

Approval of Agenda

**BOARD COMMENTS**

**PUBLIC COMMENTS**

At this time, any member of the public may address the Oversight Board on matters, which are not listed on this agenda. Citizens should reserve their comments for matter listed on this agenda at the time the item is considered by the Board. An exception is made for members of the public for whom it would

create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

### CONSENT CALENDAR

All matters listed under the consent calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Board support and may be enacted by the Oversight Board in one motion in the form listed below. There will be no separate discussion of these items. However, before the Oversight Board votes on the motion to adopt, members of the Oversight Board, staff, or the public may request that specific items be removed from the Consent Calendar for separate discussion and action. Items(s) removed will be discussed later in the meeting as time permits.

- A. Minutes of the December 10, 2012 meeting of the Oversight Board to the City of Winters Successor Agency to the Winters Community Development Agency.
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### PRESENTATIONS

None at this meeting.

### DISCUSSION ITEMS

1. Consideration of Resolution 2013-01 of the City of Winters as Successor Agency to the Winters Community Development Agency Adopting a Recognized Obligation Payment Schedule Pursuant to AB1X 26
2. Consideration of Resolution 2013-02 of the City of Winters as Successor Agency to the Winters Community Development Agency Approving the Transfer of Redevelopment Housing Assets to the Housing Successor Agency
3. Status Update on AB 1X26 Clean-up Legislation- Information Item
4. Update on Meet & Confer with Department of Finance

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### STAFF REPORT

### ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the February 4, 2013 regular meeting of the Winters Oversight Board was personally delivered to each Board member by electronic mail, and by United States Postal Service in a sealed envelope with postage prepaid and posted on the outside public bulletin board at City Hall, 318 First Street on January 31, 2013, and made available to the public during normal business hours.



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Mary Jo Rodolfa, Management Analyst

*Questions about this agenda – Please call the City Manager’s office at (530) 795-4910 ext. 110. Agendas and staff reports are available on the city web page [www.cityofwinters.org](http://www.cityofwinters.org)*

*General Notes: Meeting facilities are accessible to persons with disabilities. To arrange aid or services to modify or accommodate persons with disability to participate in a public meeting, contact the City Clerk.*

*Staff recommendations are guidelines to the Oversight Board. On any item, the Board may take action, which varies from that recommended by staff.*

*The city does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.*

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Winters Library – 708 Railroad Avenue

City Clerk’s Office – City Hall – 318 First Street

During Board meetings – Right side as you enter the Council Chambers



MINUTES OF THE OVERSIGHT BOARD  
TO THE CITY OF WINTERS SUCCESSOR AGENCY TO THE  
WINTERS COMMUNITY DEVELOPMENT AGENCY

City Council Chambers  
318 First Street  
Monday, December 10, 2012

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**2:00 p.m. – Special Meeting**

Meeting was called to order by Chair Justus at 2:08 p.m.

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Present – Chair Justus, Board Members Anderson, Saylor, Mills, and Romney

Absent - Board Members Chapman and Cirolini

Staff - City Manager Donlevy, Director of Financial Management Gunby,  
Economic Development and Housing Manager Maguire and  
Management Analyst Rodolfa

Pledge of Allegiance – Economic Development and Housing Manager Maguire

Approval of Agenda – Board Member Mills moved to approve the agenda, Board Member Saylor seconded the motion. The motion was approved unanimously with two absent.

BOARD COMMENTS      None

PUBLIC COMMENTS      None

**CONSENT CALENDAR**

A. Approval of Minutes of the October 9, 2012 and December 3, 2012 meetings of the Oversight Board to the City of Winters Successor Agency to the Winters Community Development Agency. Board Member Saylor moved the

approval of the minutes, Board Member Mills seconded the motion. The motion was approved unanimously with two absent.

### PRESENTATIONS

None at this meeting.

### DISCUSSION ITEMS

#### 1. Approval of the Non-Housing Due Diligence Review Report

Director of Financial Management Gunby introduced the item and stated that at the December 3, 2012 meeting the board reviewed the non-housing due diligence report from the auditors, there were a few corrections noted and those were made. She indicated that the item was now before the board for their approval. Board Member Saylor asked Gunby what she thought was the purpose of this request from the State. Gunby replied that they are looking for money, that the nuts and bolts are on the last page of the report, page 17. She stated that we have no money for the taxing agencies. They want to know how much money we have and our enforceable obligations. ~~If we had more money on hand than~~ obligations the State would want us to send it to them. In our case we need all the money we have to pay our enforceable obligations. Board Member Saylor – do we think the DOF will have any questions? Gunby replied no except for the sale of the land to the City but that was done before the law was passed. The auditors examined all the documents and there is an audit trail for it. It can be verified that we did it correctly.

Chair Justus asked that Gunby review the results of the meet and confer with the Department of Finance for Board Member Saylor since he was unable to attend the last meeting. Gunby commented that staff met with the Department of Finance regarding the disallowance of the loans. The City took all its documentation and read them the law. The people they met with did not know anything about our agency or about redevelopment. They said they would take our information and get back to us. Last week we received a confidential draft report from them and they will be denying our request. The result is once we receive the notice of completion we can put the loans back on the ROPS but of the amount that gets paid back 20% has to go to housing so the City only gets back 80% for its use. Saylor asked if there is another appeal after this meet and confer? Gunby said no, that she has been told to put everything on every ROPS because the reviewers are not talking to each other. Justus asked if this due diligence report was a requirement by the DOF. Gunby said yes, the auditors are looking for specific things the DOF believes are areas where there has not been complete honesty. The State is looking for undocumented transfers, etc. There is not a level of trust that there is integrity there. The successor agencies are typically the city. City Manager Donlevy added that the State Controller will be here tomorrow to go over the land transfer documents and commented that the State is practicing on us.

Gumby stated that the process of the meet and confer has been talked about on the CSMFO list serve quite a bit. Most agencies have had something they have disagreed with the DOF about and they are also saying that the DOF people are not informed before going into the meetings. Donlevy indicated that the meet and confer cost us about \$4k it was basically a waste.

Board Member Saylor moved approval of the Non-Housing Due Diligence Review Report, Anderson seconded the motion. The motion was approved unanimously with two absent.

STAFF REPORT Most likely no meeting in January. In February staff will be getting the ROPS ready for March.

ADJOURNMENT – Meeting adjourned at 2:32.

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Larry Justus, Chair

ATTEST:

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Oversight Board Secretary



**OVERSIGHT BOARD FOR THE CITY OF WINTERS AS SUCCESSOR AGENCY TO THE  
WINTERS COMMUNITY DEVELOPMENT AGENCY**

**TO:** Honorable Chairperson and Members of the Oversight Board of the  
Successor Agency to the Dissolved Winters Community Development  
Agency.

**DATE:** February 4, 2013

**THROUGH:** John W. Donlevy, Jr., City Manager

**FROM:** Shelly A. Gunby, Director of Financial Management *Shelly*

**SUBJECT:** Consideration of Resolution 2013-01 of the City of Winters as Successor  
Agency to the Winters Community Development Agency adopting a  
Recognized Obligation Payment Schedule pursuant to AB1X 26.

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**RECOMMENDATION:**

That the City of Winters as Successor Agency to the Winters Community Development Agency adopt the attached Resolution adopting a Recognized Obligation Payment Schedule in compliance with AB1X 26

**SUMMARY:**

In accordance with Health and Safety Code Section 34177, added by Assembly Bill 1X 26, the City of Winters as Successor Agency to the Winters Community Development Agency ("Agency") is required to adopt a Recognized Obligation Payment Schedule (ROPS) for each 6 month period beginning January 2012. AB1484 passed on June 27, 2012 requires that the July 1, 2013 through December 31, 2013 ROPS be submitted to the Yolo County Auditor, the Department of Finance and the State Controller's office by March 1, 2013.

**DISCUSSION**

AB 1X 26 suspended all new redevelopment activities and incurrence of indebtedness by terminating virtually all otherwise legal functions of the Agency and mandating a liquidation of any assets for the benefit of local taxing agencies. Some debts are allowed to be repaid, but any such remittances are to be managed by a successor agency, that would function primarily as a debt repayment administrator. The successor agency cannot continue or initiate any new redevelopment projects or programs. The activities of the successor agency will be overseen by an oversight board, comprised primarily of representatives of other taxing agencies, until such time as the remaining debts of the former redevelopment agency are paid off, all Agency assets liquidated

and all property taxes are redirected to local taxing agencies.

Under Health and Safety Code Section 34177, the ROPS must list all of the “enforceable obligations” of the Agency, and must be certified by an independent external auditor and is subject to approval by the Department of Finance, The State Controller and must be posted on the successor agency’s website. “Recognized obligations” include: bonds; loans legally required to be repaid pursuant to a payment schedule with mandatory repayment terms; payments required by the federal government, preexisting obligations to the state or obligations imposed by state law; judgments, settlements or binding arbitration decisions that bind the agency; legally binding and enforceable agreements or contracts; and contracts or agreements necessary for the continued administration or operation of the agency, including agreements to purchase or rent office space, equipment and supplies. New on this ROPS is the inclusion of the funding for the Low and Moderate Income Housing Fund as requested by Legal Services of Northern California.

**FISCAL IMPACT:**

Without the approved ROPS, the City, as successor agency would not be able to pay the obligations of the former redevelopment agency, including making debt service payments on the 2004 and 2007 tax allocation bonds.

**ATTACHMENTS:**

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Recognized Obligations Payment Schedule (ROPS IV)  
Resolution OB-2013-01

# SUCCESSOR AGENCY CONTACT INFORMATION

**398**

**Yolo**

**Winters**

<b>Shelly</b>
<b>Gunby</b>
<b>Director of Financial Management</b>
<b>318 First Street</b>
<b>Winters</b>
<b>CA</b>
<b>95694</b>
<b>530-795-4910 x104</b>
<b><a href="mailto:shelly.gunby@cityofwinters.org">shelly.gunby@cityofwinters.org</a></b>


**SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE**

Filed for the July 1, 2013 to December 31, 2013 Period

Name of Successor Agency: **WINTERS (YOLO)**

**Outstanding Debt or Obligation**

Total Outstanding Debt or Obligation

**\$39,960,111**

Total

**Current Period Outstanding Debt or Obligation**

Six-Month Total

A Available Revenues Other Than Anticipated RPTTF Funding

\$0

B Enforceable Obligations Funded with RPTTF

\$12,832,066

C Administrative Allowance Funded with RPTTF

\$124,000

D Total RPTTF Funded (B + C = D)

\$12,956,066

E Total Current Period Outstanding Debt or Obligation (A + B + C = E) *Should be same amount as ROPS form six-month total*

\$12,956,066

F Enter Total Six-Month Anticipated RPTTF Funding

\$631,856

G Variance (F - D = G) *Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding*

(\$12,324,210)

**Prior Period (July 1, 2012 through December 31, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))**

H Enter Estimated Obligations Funded by RPTTF (lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)

\$744,621

I Enter Actual Obligations Paid with RPTTF

\$1,074,262

J Enter Actual Administrative Expenses Paid with RPTTF

\$39,916

K Adjustment to Redevelopment Obligation Retirement Fund (H - (I + J) = K)

\$0

L Adjustment to RPTTF (D - K = L)

\$12,956,066

Certification of Oversight Board Chairman:

Larry Justus

Chairman

Name

Title

Pursuant to Section 34177(m) of the Health and Safety code,

I hereby certify that the above is a true and accurate Recognized

Obligation Payment Schedule for the above named agency.

/s/

Signature

Date

**WINTERS (YOLO)**  
**RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 13-14A)**  
 July 1, 2013 through December 31, 2013

Item #	Project Name / Debt Obligation	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2013-14	Funding Source					Six-Month Total
									Bond Proceeds	Reserve Balance	Admin Allowance	RPTTF	Other	
							\$39,960,111	\$13,442,098	\$0	\$0	\$124,000	\$12,832,066	\$0	\$12,956,066
1	2004 Tax Allocation Bonds	2/27/2004	2/4/2034	Bank of New York	Bond issue to fund non-housing projects	CDA Project Area	4,053,511	275,249	0	0	0	221,424	0	221,424
2	2004 Tax Allocation Bonds	2/27/2004	2/27/2034	Bank of New York	Bond issue to fund housing projects	CDA Project Area	4,386,790	200,471	0	0	0	140,865	0	140,865
3	2007 Tax Allocation Bonds	5/31/2007	5/31/2037	Bank of New York	Bond issue to fund non-housing projects	CDA Project Area	16,403,821	656,490	0	0	0	458,295	0	458,295
4	2007 Tax Allocation Bonds	5/31/2007	5/31/2037	Bank of New York	Bond issue to fund housing projects	CDA Project Area	2,888,870	82,770	0	0	0	49,035	0	49,035
5	Loan Due City of Winters	5/10/2010	6/30/2015	City of Winters	Loan Due for 2010 SERAF	CDA Project Area	0	0	0	0	0	0	0	0
6	Winters Opera House Lease	9/2/2005	8/31/2015	Winters Opera House	Palm Playhouse Rent Subsidy	CDA Project Area	30,072	30,072	0	0	0	15,400	0	15,400
7	Winters Opera House Lease	1/28/2009		Winters Opera House	Rent Agreement for the Winters Visitor Center	CDA Project Area	0	0	0	0	0	0	0	0
8	Visitor Center Funding	2/1/2011		Winters Chamber of Commerce	Winters Visitor Center Operations Funding	CDA Project Area	0	0	0	0	0	0	0	0
9	Trustee Services	3/9/2004	8/31/2034	Bank of New York	Trustee Services 2004 Tax Allocation Bonds	CDA Project Area	1,700	1,700	0	0	0	1,700	0	1,700
10	Trustee Services	6/1/2007	8/31/2037	Bank of New York	Trustee Services 2007 Tax Allocation Bonds	CDA Project Area	1,700	1,700	0	0	0	1,700	0	1,700
11	Continuing Disclosure Services	8/15/2005	8/31/2034	Urban Futures, Inc.	Continuing Disclosure Reporting 2004 TABS	CDA Project Area	1,750	1,750	0	0	0	1,750	0	1,750
12	Continuing Disclosure Services	8/15/2005	8/31/2037	Urban Futures, Inc.	Continuing Disclosure Reporting 2007 TABS	CDA Project Area	1,750	1,750	0	0	0	1,750	0	1,750
13	305 First Street	6/20/2011		Ana's Housekeeping	Janitorial Services	CDA Project Area	600	600	0	0	0	600	0	600
14	305 First Street	12/14/2008		John Pickereel	Rental of Meeting Room	CDA Project Area	11,060	11,060	0	0	0	11,060	0	11,060
15	Winters Cemetary District	6/4/1993		Winters Cemetery District	Miscalculated pass through amounts (Civil Code Section 343)	CDA Project Area	0	0	0	0	0	0	0	0
16	Administration Allowance			City of Winters	Successor Agency Allocated Expenditures	CDA Project Area	250,000	250,000	0	0	124,000	0	0	124,000
17	Low Mod Income Housing Fund	6/4/1993	6/4/2023	Winters Housing Sucessor Agency	Funding for Low and Mod Income Housing	CDA Project Area	11,928,487	11,928,487	0	0	0	11,928,487	0	11,928,487
														0
														0
														0

**WINTERS (YOLO)**  
 Pursuant to Health and Safety Code section 34186 (a)  
**PRIOR PERIOD ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS**  
**RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS II)**  
 July 1, 2012 through December 31, 2012

Item #	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMIHF		Bond Proceeds		Reserve Balance		Admin Allowance		RPTTF		Other	
					Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual
1	2004 Tax Allocation Bonds	Bank of New York	Bond issue to fund non housing projects	CDA Project Area	\$0	\$0	\$0	\$0	\$0	\$0	\$126,000	\$39,916	\$604,720	\$1,074,262	\$0	\$0
2	2004 Tax Allocation Bonds	Bank of New York	Bond issue to fund housing projects	CDA Project Area									56,424	218,824		
3	2007 Tax Allocation Bonds	Bank of New York	Bond issue to fund non housing projects	CDA Project Area									60,865	142,065		
4	2007 Tax Allocation Bonds	Bank of New York	Bond issue to fund housing projects	CDA Project Area									203,295	458,295		
5	Loan Due City of Winters	City of Winters	Loan Due for 2010 SERAF	CDA Project Area									34,035	44,235		
6	Winters Opera House Lease	Winters Opera House	Palms Playhouse Rent Subsidy	CDA Project Area									0	0		
7	Winters Opera House Lease	Winters Opera House	Rent Agreement for Winters Visitor Center	CDA Project Area									15,036	15,011		
8	Visitor Center Funding	Winters Chamber of Commerce	Winters Visitor Center Operations Funding	CDA Project Area									6,000	5,931		
9	Trustee Services	Bank of New York	Trustee Services for 2004 TABS	CDA Project Area									14,400	14,400		
10	Trustee Services	Bank of New York	Trustee Services for 2007 TABS	CDA Project Area									1,700	0		
11	Continuing Disclosure Services	Urban Futures, Inc.	Continuing Disclosure Reporting for 2004 TABS	CDA Project Area									0	1,750		
12	Continuing Disclosure Services	Urban Futures, Inc.	Continuing Disclosure Reporting for 2007 TABS	CDA Project Area									0	1,750		
13	Legal Services	Best, Best and Krieger	Legal issues for redevelopment issues	CDA Project Area									30,000	3,704		
14	305 First St	John Pickeral	Rental of meeting room	CDA Project Area									300	0		
15	City Attorney Fees	John Wallace	Legal fees	CDA Project Area									15,000	150		
16	Pers unfunded liability	CaIPERS	Unfunded liability for Agency employees	CDA Project Area									127,135	127,135		
17	314 Railroad Ave	Rory and Theresa Linton	Relocation Assistance	CDA Project Area									30,000	30,000		
18	305 First St	John Pickeral	Rental of meeting room	CDA Project Area									5,530	5,253		
19	Auditing	Moss, Levy & Hartzheim	Close out Audit of Agency	CDA Project Area									5,000	5,758		
20	Administrative Cost	City of Winters	Allocation of Staff and Overhead	CDA Project Area							126,000	39,916				