

SPECIAL MEETING AGENDA

**Oversight Board to the Mendota Designated Local Authority,
as Successor Agency to the Mendota Redevelopment Agency**

Monday, September 28, 2015 at 4:30 PM

Mendota City Council Chambers
643 Quince Street, Mendota, CA 93640

The agenda for Special Meetings is posted at least 24 hours prior to each meeting outside of the Mendota City Hall located at 643 Quince Street, Mendota, CA 93640, and is available at each meeting. The agenda and related reports are also available at the Mendota City Clerk's Office and are available on the Designated Local Authority's website at www.kosmont.com. Any writing distributed within 24 hours of the meeting will be made available to the public by placing it with the City Clerk at the time it is distributed to the Designated Local Authority.

Call to Order of the:

Oversight Board to the Mendota Designated Local Authority, as Successor Agency to the Mendota Redevelopment Agency

Roll Call

Board Members: Chair, Robert Silva, City of Mendota
Conlin Reis, Fresno Westside Mosquito Abatement District
Vince DiMaggio, City of Mendota
Ken Stoppenbrink, West Hills Community College District
Jose Alcaide, Mendota Unified School District
Doug Vagim, Fresno County
Sandra Sosa-Ramirez, Fresno County Community Member

Public Comments:

Members of the public may comment on any item not appearing on the agenda and within the subject matter jurisdiction of the Board. Comments will be limited to a maximum of 5 minutes per person, and each person may speak once during this time. Time cannot be yielded to another person. Under State Law, matters presented under this item cannot be discussed or acted upon at this time by the Board. The public will be invited to make comments on agenda items when the item comes up for the Board's consideration. Please state your name and address for the record.

Swearing in of New Member

Information Items:

1. Update on Housing Assets
2. Update on 1989A Lease Revenue Bonds

Action Items:

1. Direct the Fresno County Auditor/Controller to make payments of RPTTF directly to the Bond Trustee:

Recommendation: It is recommended that the Oversight Board to the Mendota Designated Local Authority, acting as Successor Agency to the Mendota Redevelopment Agency, adopt Resolution 2015-02, a resolution of the Oversight Board to the Mendota Designated Local Authority, as Successor Agency of the Mendota Redevelopment Agency, authorizing and directing the payment by the County of Fresno of Redevelopment Property Tax Trust Funds (RPTTF) to the bond trustee for payment of current and past due principal and interest on the 1994 Tax Allocation Bonds issued by the former Mendota Redevelopment Agency, replenishment of bond reserves and related trustee fees and costs.

2. Approval of ROPS 15-16B

Recommendation: It is recommended that the Oversight Board to the Mendota Designated Local Authority, acting as Successor Agency to the Mendota Redevelopment Agency, adopt Resolution No. 2015-03 approving the Recognized Obligation Payment Schedule 15-16B for the period of January 1, 2016 through June 30, 2016 and authorizing Chris Jicha, or his designee, to take all necessary actions with respect thereto.

Other:

- Board member comments
- Staff and counsel comments

Adjournment:

Americans with Disabilities Act Notice: Any individual, who because of a disability need special assistance to attend or participate in this meeting may request assistance by contacting the DLA Staff 24 hours in advance of the meeting.

DLA Staff Contact: Chris Jicha, (951)203-8730, cjicha@kosmont.com

Affidavit of Posting:

I, _____, City staff of the City of Mendota, do hereby affirm that a copy of the foregoing agenda was posted at City Hall at least 24 hours in advance of this meeting.

City of Mendota

CALIFORNIA CONSTITUTION, ARTICLE 20, SECTION 3:

Members of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows: _____ (If no affiliations, write in the words "No Exceptions") and that during such time as I hold the office of [Member of the Oversight Board of the Mendota Designated Local Authority] I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means."

And no other oath, declaration, or test, shall be required as a qualification for any public office or employment.

"Public officer and employee" includes every officer and employee of the State, including the University of California, every county, city, city and county, district, and authority, including any department, division, bureau, board, commission, agency, or instrumentality of any of the foregoing.

Date:

Signature:
Board Name:_____

City of Mendota
 Loan Portfolio Report
 RDA Funded Loans

Borrower(s)	Property Address	Phone	Original Loan Amount	GRANT Amount	Loan Balance 8/31/13	INT RATE*	TERM	START DATE	END DATE	REV. DATE	Notes
*Andrade, Neftali & Olivia	230 Santa Cruz Street	559-655-8987	\$ 75,862.00	\$ -	\$ 75,862.00	0%	45	3/27/07	2/27/37	N/A	HBA-Loan #RDA-MEN-001 def. 30/Amt. 15
Montejano, Mario & Celia	290 Valenzuela Street		\$ 39,718.00	\$ -	\$ 39,718.00	0%	30	11/30/07	10/30/37	N/A	HBA
Total:			\$ 115,580.00	\$ -	\$ 115,580.00						

Mendota Redevelopment Agency					
Tax Allocation Bonds, Project No. 1 1994					
Mendota payment history 8/1/03 - 8/1/15					
	CUSIP	Amount	Status	Cumulative Unpaid Interest	Cumulative Unpaid Principal
Debt Service due 8/1/03					
Principal	586749AW3	\$135,000.00	Paid. Full amt rec'd 8/1/03.		\$0.00
Interest		\$246,408.75	Paid. Full amt rec'd 8/1/03.	\$0.00	
		\$381,408.75			
Debt Service due 2/1/04					
Principal		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 06/22/05	\$0.00	
		\$241,886.25			
Debt Service due 8/1/04					
Principal	586749AX1	\$145,000.00	Maturity not paid		\$145,000.00
Interest		\$241,886.25	Paid 10/18/05	\$0.00	
		\$386,886.25			
Debt Service due 2/1/05					
Principal		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 10/17/06	\$0.00	
		\$241,886.25			
Debt Service due 8/1/05					
Principal	586749AY9	\$150,000.00	Maturity not paid		\$150,000.00
Interest		\$241,886.25	paid 5/24/07	\$0.00	
		\$391,886.25			
Debt Service due 2/1/06					
Principal		\$0.00	None due		\$0.00
Interest		\$241,886.25	paid 10/17/07	\$0.00	
		\$241,886.25			
Debt Service due 8/1/06					
Principal	586749AZ6	\$160,000.00	Maturity not paid		\$160,000.00
Interest		\$241,886.25	Paid 10/15/08	\$0.00	
Debt Service due 2/1/07					
Principal		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 5/13/09	\$0.00	
Debt Service due 8/1/07					
Principal	586749BA0	\$175,000.00	Maturity not paid		\$175,000.00
Interest		\$241,886.25	Paid 10/22/09	\$0.00	
Debt Service due 2/1/08					
Principal		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 5/13/10	\$0.00	
Debt Service due 8/1/08					
Sinking Fund Payment	586749BB8	\$185,000.00	MSF not paid		\$185,000.00
Interest		\$241,886.25	Paid 11/18/10	\$0.00	
Debt Service due 2/1/09					
Principal		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 5/12/11	\$0.00	
Debt Service due 8/1/09					
Sinking Fund Payment	586749BB8	\$200,000.00	MSF not paid		\$200,000.00
Interest		\$241,886.25	Paid 10/20/2011	\$0.00	
Debt Service due 2/1/10					
Sinking Fund Payment		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 8/1/10					
Sinking Fund Payment	586749BB8	\$215,000.00	MSF not paid		\$215,000.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	

Debt Service due 2/1/11					
Sinking Fund Payment		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 8/1/11					
Sinking Fund Payment	586749BB8	\$230,000.00	MSFnot paid		\$230,000.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 2/1/12					
Sinking Fund Payment		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 8/1/12					
Sinking Fund Payment	586749BB8	\$245,000.00	MSFnot paid		\$245,000.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 2/1/13					
Sinking Fund Payment		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 8/1/13					
Sinking Fund Payment	586749BB8	\$265,000.00	MSFnot paid		\$265,000.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 2/1/14					
Sinking Fund Payment		\$0.00	None due		\$0.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 8/1/14					
Sinking Fund Payment	586749BB8	\$285,000.00	Stated Maturity not paid		\$285,000.00
Interest		\$241,886.25	Paid 9/17/2014	\$0.00	
Debt Service due 2/1/15					
Sinking Fund Payment		\$0.00	None due		\$0.00
Interest		\$241,886.25	To be paid on 2/10/15	\$0.00	
Debt Service due 8/1/15					
Sinking Fund Payment	586749BC6	\$305,000.00	MSF not paid		\$305,000.00
Interest		\$241,886.25	Paid 08/05/2015	\$0.00	
Debt Service due 2/1/16					
Sinking Fund Payment		\$0.00	None due		\$0.00
Interest		\$241,886.25		\$0.00	
Debt Service due 8/1/16					
Sinking Fund Payment	586749BC6	\$325,000.00			\$325,000.00
Interest		\$241,886.25		\$0.00	
Total amounts unpaid				\$0.00	\$2,885,000.00
					\$2,885,000.00

RESOLUTION NO. 2015-02

A RESOLUTION OF THE OVERSIGHT BOARD TO THE MENDOTA DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY OF THE MENDOTA REDEVELOPMENT AGENCY, AUTHORIZING AND DIRECTING THE PAYMENT BY THE COUNTY OF FRESNO OF REDEVELOPMENT PROPERTY TAX TRUST FUNDS TO THE BOND TRUSTEE FOR PAYMENT OF CURRENT AND PAST DUE PRINCIPAL AND INTEREST ON THE 1994 TAX ALLOCATION BONDS ISSUED BY THE FORMER MENDOTA REDEVELOPMENT AGENCY, REPLENISHMENT OF BOND RESERVES AND RELATED TRUSTEE FEES AND COSTS

WHEREAS, the Oversight Board to the Mendota Designated Local Authority, as Successor Agency of the Mendota Redevelopment Agency (the "Successor Agency") is charged with the implementation of recognized enforceable obligations and winding down of the affairs of the former Redevelopment Agency of the City of Mendota (the "Agency") in accordance with the California Health and Safety Code; and

WHEREAS, the Agency issued 1994 Tax Allocation Bonds ("1994 TABS") which constitute enforceable obligations of the Successor Agency; and

WHEREAS, payments of principal and interest on the 1994 TABS are past due; and

WHEREAS, the Board and staff of the Successor Agency have a fiduciary obligation to the holders of the 1994 TABS to forward all available Redevelopment Property Tax Trust Funds ("RPTTF") to the Bond Trustee until all past due principal and interest amounts have been paid; and

WHEREAS, Successor Agency staff and the Board have encountered a variety of obstacles to the timely transfer of RPTTF to the Bond Trustee;

WHEREAS, to expedite and insure the transfer of RPTTF to the Bond Trustee in a timely manner, the Successor Agency desires that the County of Fresno disburse all RPTTF to which the Successor Agency is entitled directly to the Bond Trustee until all past due principal and interest on the 1994 TABS has been paid in full; and

WHEREAS, this Resolution shall take effect from and after the date of its adoption in accordance with applicable law.

NOW, THEREFORE, THE OVERSIGHT BOARD TO THE MENDOTA DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY OF THE MENDOTA REDEVELOPMENT AGENCY, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. The Oversight Board to the Mendota Designated Local Authority, as Successor Agency to the Mendota Redevelopment Agency, hereby approves, authorizes and directs the County of Fresno to remit redevelopment property tax trust funds to which the Successor Agency is legally entitled directly to the bond trustee for payment of current and past due principal and interest on the 1994 Tax Allocation Bonds issued by the former Mendota Redevelopment Agency, replenishment of bond reserves and related trustee fees and costs, until all past due payments of principal and interest have been made in full. Thereafter, the County of Fresno shall remit such funds to the Successor Agency.

SECTION 3. Christopher Jicha, or his designee, or another employee of Kosmont Companies designated by Larry Kosmont, is hereby authorized to work with the Auditor-Controller's Office of the County of Fresno to cause RPTTF to be disbursed directly to the trustee of the 1994 Tax Allocation Bonds, and to take such other actions on behalf of the Successor Agency with respect to the foregoing as may be reasonably necessary to effect the intent of this resolution in accordance with applicable law.

SECTION 5. 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 Successor Agency hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

[continued on next page]

PASSED, APPROVED AND ADOPTED at a special meeting of the Oversight Board to the Mendota Designated Local Authority, as Successor Agency of the Mendota Redevelopment Agency, held this 28th day of September, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson, Oversight Board to the
Mendota Designated Local Authority, as
Successor Agency to the Mendota
Redevelopment Agency

ATTEST:

Secretary

RESOLUTION NO. 2015-003

A RESOLUTION OF THE OVERSIGHT BOARD TO THE MENDOTA DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY TO THE MENDOTA REDEVELOPMENT AGENCY OF THE CITY OF MENDOTA, APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD OF JANUARY 1, 2016 THROUGH JUNE 30, 2016, ROPS 15-16B

WHEREAS, the Oversight Board to the Mendota Designated Local Authority (“DLA”), as Successor Agency to the Mendota Redevelopment Agency, has been established to take actions to wind down the affairs of the former Redevelopment Agency of the City of Mendota in accordance with the California Health and Safety Code; and

WHEREAS, the Health and Safety Code requires the Successor Agency to prepare and adopt a series of “Recognized Obligation Payment Schedules” that list all obligations of the former redevelopment agency that are enforceable within the meaning of subdivision (d) of Section 34167; and

WHEREAS, the Oversight Board to the to the Mendota DLA desires to approve Recognized Obligation Payment Schedules (ROPS) for the Period of January 1, 2016 through June 30, 2016; and

WHEREAS, the Oversight Board to the to the Mendota DLA desires to approve the Recognized Obligation Payment Schedule (ROPS) for the Period of January 1, 2016 through June 30, 2016; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE OVERSIGHT BOARD TO THE MENDOTA DESIGNATED LOCAL AUTHORITY, AS SUCCESSOR AGENCY OF THE MENDOTA REDEVELOPMENT AGENCY OF THE CITY OF MENDOTA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. The Oversight Board to the to the Mendota DLA hereby approves (i) the Schedule attached hereto as Exhibit A as the Recognized Obligation Payment Schedule for January 1, 2016 through June 30, 2016, as the Recognized Obligation Payment Schedule for January 1, 2016 through June 30, 2016.

SECTION 3. Chris Jicha, or his designee, or any other person employed by Kosmont Companies, which is serving as staff to the Successor Agency of the Mendota Redevelopment Agency, is hereby authorized to submit the ROPS to such parties as may be required in accordance with the Health & Safety Code, and to take such other actions with respect to the ROPS as may be necessary in accordance with applicable law.

SECTION 4. 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 DLA hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 5. This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Oversight Board to the Mendota Designated Local Authority, as Successor Agency to the Mendota Redevelopment Agency, held this 28th day of September, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson,
Oversight Board to the Mendota DLA

ATTEST:

Secretary,
Oversight Board to the Mendota DLA