

A G E N D A

REGULAR MEETING OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD

TUESDAY, SEPTEMBER 21, 2021, 8:30 AM

SIXTH FLOOR CONFERENCE ROOM
2099 South State College Boulevard
Anaheim, California 92806

HON. BRIAN PROBOLSKY
Chairman

HON. STEVE JONES
Vice Chairman

CHARLES BARFIELD
Board Member

STEVE FRANKS
Board Member

ANIL KUKREJA
Board Member

DEAN WEST, CPA
Board Member

HON. PHILLIP E. YARBROUGH
Board Member

Staff

Hon. Frank Davies, CPA, Auditor-Controller
Kathy Tavoularis
Zeshaan Younus
Amanda Hernandez

Counsel

Patrick K. Bobko

Clerk of the Board

Kathy Tavoularis

The Orange Countywide Oversight Board welcomes you to this meeting. This agenda contains a brief general description of each item to be considered. The Board encourages your participation. If you wish to speak on an item contained in the agenda, please complete a Speaker Form identifying the item(s) and deposit it in the Speaker Form Return box located next to the Clerk. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the close of the meeting. Except as otherwise provided by law, no action shall be taken on any item not appearing in the agenda. Speaker Forms are located next to the Speaker Form Return box. When addressing the Board, please state your name for the record prior to providing your comments.

****In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Clerk of the Board 72 hours prior to the meeting at (714) 834-2458****

The Orange Countywide Oversight Board encourages the public to participate by submitting emails at kathy.tavoularis@ac.ocgov.com by 7:30 AM the day of the meeting, or calling (714) 834-2458 and leaving a message before 7:30 AM the day of the meeting, if you want to provide comments on agenda items or other subject matters within the Orange Countywide Oversight Board's jurisdiction. The Orange Countywide Oversight Board and Staff thank you in advance for taking all precautions to prevent spreading COVID-19. If you have any questions, please contact the Orange County Auditor-Controller's Office at (714) 834-2458.

All supporting documentation is available for public review online at <http://ocauditor.com/ob/> or in person in the office of the Auditor-Controller located at 1770 North Broadway, Santa Ana, California 92706 during regular business hours, 8:00 a.m. - 5:00 p.m., Monday through Friday

A G E N D A

REGULAR MEETING OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD

8:30 A.M.

1. Call to Order
2. Pledge of Allegiance
3. Approval of the Minutes from July 20, 2021
4. Election of Board Officers
 - a. Chairman
 - b. Vice Chairman
5. Adoption of the 2022 Meeting Schedule
6. Seal Beach Successor Agency Dissolution Update
7. Calling of Special Meeting to Consider Dissolution of Seal Beach Successor Agency
8. Adopt Resolutions Regarding Requests by Successor Agencies for Amendments to FY 2021-22 Recognized Obligation Payment Schedule (ROPS)
 - a. Anaheim
 - b. Placentia
 - c. San Juan Capistrano

COMMENTS & ADJOURNMENT:

PUBLIC COMMENTS:

At this time members of the public may address the Board on any matter not on the agenda but within the jurisdiction of the Board. The Board may limit the length of time each individual may have to address the Board.

STAFF COMMENTS:

- Next Meeting: Annual ROPS – January 2022

BOARD COMMENTS:

CLOSED SESSION:

CS-1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – INITIATION OF LITIGATION – Pursuant to Government Code Section 54956.9(d)(4):
Number of Cases: Three Cases

ADJOURNMENT

NEXT MEETING:

Regular Meeting January 18, 2022 – 8:30 AM

MINUTES

REGULAR MEETING OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD

July 20, 2021, 8:30 a.m. via ZOOM WEBINAR

1. CALL TO ORDER

A regular meeting of the Orange Countywide Oversight Board was called to order at 8:31 a.m. on July 20, 2021 via Zoom Webinar by Chairman Brian Probolsky, presiding officer. He announced that the Board is conducting today's meeting remotely and mentioned the measures taken by the Oversight Board to remain accessible to the public.

Present:	5	Chairman:	Brian Probolsky
		Vice Chairman:	Steve Jones
		Board Member:	Anil Kukreja
		Board Member:	Dean West
		Board Member:	Phil Yarbrough
Absent:	2	Board Member:	Charles Barfield
		Board Member:	Steve Franks

Also present, Kathy Tavoularis, Staff and Clerk of the Board; Patrick "Kit" Bobko, Legal Counsel; Chris Nguyen, Consultant; Cameron Wessel, Consultant; Zeshaan Younus, Consultant; and Amanda Hernandez, Consultant's Administrative Support.

2. PLEDGE OF ALLEGIANCE

Consultant, Chris Nguyen, led the group in Pledge of Allegiance.

3. APPROVAL OF MINUTES FROM April 20, 2021

A motion to approve the minutes from the April 20, 2021 Board Meeting was made by Board Member Yarbrough, seconded by Board Member West. Chairman Probolsky called for a vote count from Board Clerk Tavoularis.

YES – Probolsky, Jones, West, Barfield, Yarborough

NO – N/A

N/A – Barfield, Franks

Motion carries unanimously.

COMMENTS AND ADJOURNMENT:

PUBLIC COMMENTS:

Board Clerk Tavoularis reported there are no public comments.

STAFF COMMENTS:

- Board Clerk Tavoularis noted the next Oversight Board Meeting as Tuesday, September 21, 2021 – Location TBD
- Congratulations to former Board Member Chris Gaarder on being accepted to Georgetown Law School

BOARD COMMENTS:

N/A.

CLOSED SESSION:

Orange Countywide Oversight Board moved to close session at 8:36 a.m. Oversight Countywide Board returned from close session at 9:12 a.m. with no reportable action.

ADJOURNMENT

Chairman Probolsky adjourned the meeting at 9:13 a.m.

BRIAN PROBOLSKY
CHAIRMAN OF THE COUNTYWIDE OVERSIGHT BOARD

KATHY TAVOULARIS
CLERK OF THE BOARD

DATE

Orange Countywide Oversight Board

Date: 9/21/2021

Agenda Item No. 4

From: Staff of the Oversight Board

Subject: Election of Board Officers

Recommended Action:

Approve resolution electing Board Officers.

This resolution will elect the Board officers, namely the Chairman and Vice Chairman, each for a term of one year.

At the Orange Countywide Oversight Board's first-ever meeting on August 7, 2018 and later at the September 26, 2019 and September 22, 2020 meetings, the Board elected the Honorable Brian Probolsky, a Director of the Moulton Niguel Water District and the appointee of the Independent Special District Selection Committee, as Chairman, and the Board also elected the Honorable Steve Jones, the Mayor of Garden Grove and the appointee of the City Selection Committee, as Vice Chairman, each for a term of one year.

RESOLUTION NO. 21-__

**A RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD
ELECTING ITS CHAIRMAN AND VICE CHAIRMAN**

WHEREAS, California Health and Safety Code Section 34179(e) requires all action items of the Orange County Countywide Oversight Board be accomplished by resolution; and

WHEREAS, in accordance with California Health and Safety Code Section 34179(j), the twenty-five oversight boards in place in Orange County consolidated into one Orange Countywide Oversight Board, effective July 1, 2018; and

WHEREAS, the election of a Chairman and Vice Chairman will further the Board's ability to conduct its work;

NOW, THEREFORE, BE IT RESOLVED THAT THE ORANGE COUNTYWIDE OVERSIGHT BOARD hereby elects _____ to serve as Chairman and _____ to serve as Vice Chairman for a term of one year.

Orange Countywide Oversight Board

Date: 9/21/2022

Agenda Item No. 5

From: Staff of the Oversight Board

Subject: 2022 Meeting Schedule

Recommended Action:

Approve resolution adopting 2022 meeting schedule

The attached resolution would adopt a 2022 meeting schedule consisting of:

- Tuesday, January 18, 2022
- Tuesday, January 25, 2022
- Tuesday, April 19, 2022
- Tuesday, July 19, 2022
- Tuesday, September 20, 2022

The two proposed January meeting dates are due to the annual ROPS of agencies coming before the Countywide Oversight Board as well as the varying schedules of Successor Agency governing boards, who must act before the February 1, 2022 submission deadline to the State Department of Finance (DOF) for annual ROPS for FY 21-22, which is set by Health and Safety Code Section 34177(o)(1).

Health and Safety Code Section 34177(o)(1)(E) sets October 1, 2022 as the submission deadline to the State Department of Finance for amended ROPS for FY 22-23. With most Successor Agencies getting their governing board's approval for amended ROPS in the first half of September, September 6 and 13 would be too early for the Oversight Board to meet. The Board of Supervisors has not yet adopted its 2022 meeting schedule, though they typically meet on the second and fourth Tuesday of each month (September 13 and 27).

The attached resolution would direct staff to schedule the 2022 meetings.

Conflicts with Other Government Bodies and Associations

- The proposed January 25 meeting date conflicts with the Board of Supervisors' likely meeting date, but the April, July and September meeting dates are not expected to conflict with that Board's meetings.
- The Orange County Transportation Authority and its committees do not have regular meetings on Tuesdays.
- The Orange County Board of Education holds its regular meetings on Wednesdays.
- Staff is not aware of any City Council, College District, or School District in Orange County that holds its regular meeting in the morning.
- The League of California Cities 2022 Annual Conference date and location TDB

Holiday Conflicts

- The proposed January 18 meeting date is the day after Martin Luther King, Jr. Day.
- The proposed January 25 meeting date does not conflict with any holiday known to staff.
- The proposed July 19 meeting date does not conflict with any holiday known to staff.

- The proposed September 20 meeting date falls before Rosh Hashanah (September 25-27) and Yom Kippur (October 4-5).

RESOLUTION NO. 21-_____

**A RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD
ADOPTING THE 2022 MEETING SCHEDULE**

WHEREAS, California Health and Safety Code Section 34179(e) requires all action items of the Orange County Countywide Oversight Board be accomplished by resolution; and

WHEREAS, the Orange Countywide Oversight Board has not yet set its 2021 regular meeting schedule;

NOW, THEREFORE, BE IT RESOLVED THAT THE ORANGE COUNTYWIDE OVERSIGHT BOARD DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Orange Countywide Oversight Board shall hold its regular meetings in 2022 on January 18, January 25, April 19, July 19, and September 20; and

Section 2. The Orange Countywide Oversight Board shall hold its regular meetings at 8:30 a.m.; and

Section 3. Nothing in this resolution will prevent the cancellation of any regular meeting through normal meeting cancellation procedures.

Orange Countywide Oversight Board

Agenda Item No. 8a

Date: 9/21/2021

From: Successor Agency to the Anaheim Redevelopment Agency

Subject: Resolution of the Countywide Oversight Board Approving Amendment to the Recognized Obligation Payment Schedule (ROPS)

Recommended Action:

Approve resolution approving amendment to FY 2021-22B ROPS for the Anaheim Successor Agency

The Anaheim Successor Agency requests approval of the Amended Recognized Obligation Payment Schedule (ROPS) 21-22B for the second half of Fiscal Year 2021-22. The amendment would request additional RPTTF funds (Line 151) to repair non-routine maintenance issues. The major non-routine items include: modifications to the landfill gas system and trench collector, modifications to the groundwater wells and perimeter gas probe monitoring network, relocation of electric switch pad, additional costs associated with Rains pit header repair, and the relocation of XMFR for the remediation of the Westgate Property landfill (LRPMP Property #16).

As identified in the Successor Agency's previous ROPS submittal, an inspection of the landfill gas collection system header shows that differential settlement has caused multiple low spots in the blow-grade header. These low spots have restricted vacuum to a number of the extraction wells and jeopardize the effectiveness of the entire system. In order to meet the requirements of SCAQMD Rule 1150.1 and State AB 32, these low spots must be repaired. The Agency has sufficient contract authority available to complete these repairs.

In addition, the amendment requests \$3,200 for external property management costs (Line 75) pertaining to Line 71, Shoe City lease. These costs include new fencing, property clean up, etc.

Impact on Taxing Entities

The proposed ROPS Amendment will reduce residual RPTTF to the taxing entities from the January 2, 2022 distribution by \$1,844,200.

Staff Contact(s)

Stephen Stoewer, Senior Project Manager

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Stacey Shokri, Financial Accounting Manager

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Attachments

1. Resolution
2. Amended ROPS FY 20-21B

RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD
RESOLUTION NO. _____

A RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD APPROVING
AN *AMENDED RECOGNIZED OBLIGATION PAYMENT* FOR THE FY2021-22 FISCAL
PERIOD OF JULY 1, 2021 TO JUNE 30, 2022, FOR THE SUCCESSOR AGENCY TO THE
ANAHEIM REDEVELOPMENT AGENCY, SUBJECT TO SUBMITTAL TO, AND REVIEW
BY, THE STATE DEPARTMENT OF FINANCE [DOF] UNDER CALIFORNIA HEALTH
AND SAFETY CODE, DIVISION 24, PART 1.85, AND AUTHORIZING POSTING
AND TRANSMITTAL THEREOF

WHEREAS, the former Anaheim Redevelopment Agency (“Former Agency”) previously was a community redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.*, and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Anaheim (“City”); and

WHEREAS, Assembly Bill x1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and wind down of the affairs of former agencies, including as such laws were amended by Assembly Bill 1484 and by other subsequent legislation (“Dissolution Law”); and

WHEREAS, as of February 1, 2012 the Agency was dissolved pursuant to the Dissolution Law, and as a separate public entity, corporate and policy the Successor Agency to the Anaheim Redevelopment Agency (“Successor Agency”) administers the enforcement obligations of the Former Agency and otherwise unwinds the Former Agency’s affairs; and

WHEREAS, prior to July 1, 2018 under the Dissolution Law, in particular Sections 34179 and 34180, all actions of the Successor Agency were subject to the review and approval by a local seven-member oversight board, which oversaw and administered the Successor Agency’s activities during the period from dissolution until June 30, 2018; and

WHEREAS, as of, on and after July 1, 2018, under the Dissolution Law, in particular Section 34179(j), in every California county there shall be only one oversight board that is staffed by the county auditor-controller, with certain exceptions that do not apply in the County of Orange; and

WHEREAS, as of, on and after July 1, 2018, the Orange Countywide Oversight Board (“Oversight Board”) was established through the Orange County Auditor-Controller in compliance with Section 34179(j), which serves as the oversight board to the 25 successor

agencies existing and operating in Orange County, including Successor Agency and all other successor agencies in Orange County; and

WHEREAS, every oversight board, both the prior local oversight board and this newly established Orange Countywide Oversight Board, have fiduciary responsibilities to the holders of enforceable obligations and to the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of the Dissolution Law; and

WHEREAS, Section 34177(m), 34177(o) and 34179 provide that each ROPS is submitted to, review and approved by the Successor Agency and then reviewed and approved by the Oversight Board final review and approval by the State Department of Finance (“DOF”); and

WHEREAS, Section 34177(o)(1)(E) of the Dissolution Law authorizes that “[o]nce per period, and no later than October 1, a successor agency may submit one amendment to the [ROPS] approved by the department pursuant to this subdivision, if the oversight board makes a finding that a revision is necessary for the payment of approved enforceable obligations during the second one-half of the [ROPS] period, which shall be defined as January 1 to June 30, inclusive. A successor agency may only amend the amount requested for payment of approved enforceable obligations. The revised [ROPS] shall be approved by the oversight board and submitted to the department by electronic means in a manner of the department’s choosing. The department shall notify the successor agency and the county auditor-controller as to the outcome of the department’s review at least 15 days before the date of the property tax distribution”; and

WHEREAS, the Successor Agency has submitted to the Orange Countywide Oversight Board an amendment to ROPS FY 2021-2022 reflecting additional payments for non-routine maintenance, remediation and related project costs, to enable the Successor Agency to pay costs necessary to address current remediation needs at 208-224 N Beach Blvd and other projects; and

WHEREAS, the objective of this Orange Countywide Oversight Board resolution is to authorize, make findings, and approve the Successor Agency’s amendment of ROPS FY21-22 to correct and increase line item 151 and 75 as reflected on the amendment to the Successor Agency’s ROPS FY 2021-2022 attached as Attachment No. 1 to this resolution and fully incorporated herein by this reference; and

WHEREAS, the Orange Countywide Oversight Board has reviewed and considered the Successor Agency’s amendment of ROPS FY21-22, and desires to make certain findings, including: (i) amendment is necessary to pay a DOF-approved enforceable obligation on ROPS FY 2021-2022 during the “B” fiscal period, (ii) ROPS FY 2021-22, as amended, is approved, (iii) the Successor Agency or City staff are authorized to post ROPS FY 2021-22, as amended,

on the City's website, and (iv) staff is directed to transmit ROPS FY 2021-22, as amended, to the DOF, pursuant to the Dissolution Law;

NOW, THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTYWIDE OVERSIGHT BOARD:

SECTION 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

SECTION 2. The Orange Countywide Oversight Board hereby finds the revision set forth in amended ROPS FY 2021-2022 for funds to be distributed from the Redevelopment Property Tax Trust Fund (RPTTF) for the fiscal period January 1, 2022 to June 30, 2022 is necessary to pay DOF-approved enforceable obligations for such ROPS FY 2021 -2022B period; in particular, the amendment is to correct and increase the RPTTF authorized for disbursement to the Successor Agency and payment by the Successor Agency for line items 151 and 75.

SECTION 3. Under the Dissolution Law, the Orange Countywide Oversight Board approves the ROPS FY 2021-22, as amended, (Attachment No. 1); provided however, that the ROPS FY 2021-2022, as amended, is approved subject to the condition that such ROPS, as amended, is to be submitted to and reviewed by the DOF. Further, the Executive Director of the Successor Agency and his authorized designees, in consultation with legal counsel, shall be authorized to discuss this matter with the DOF and make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

SECTION 4. The Orange Countywide Oversight Board authorizes transmittal of ROPS FY 2021-2022, as amended, to the DOF.

SECTION 5. The Executive Director of the Successor Agency and his authorized designees directed to post this Resolution, including the ROPS FY 2021-2022, as amended, on the City's website.

SECTION 6. The approval of the amendment to the ROPS through this Resolution does not commit the Orange Countywide 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.

SECTION 7. Under Section 34179(h) written notice and information about certain actions taken by the Orange Countywide Oversight Board shall be provided to the DOF by electronic means and in a manner of DOF's choosing. The Orange Countywide Oversight

Board's action shall become effective five (5) business days after notice in the manner specified by the DOF unless the DOF requests a review.

SECTION 8. This Resolution shall take effect immediately upon its adoption.

**Amended Recognized Obligation Payment Schedule (ROPS 21-22B) - Summary
Filed for the January 1, 2022 through June 30, 2022 Period**

Successor Agency: Anaheim

County: Orange

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	ROPS 21-22B Authorized Amounts	ROPS 21-22B Requested Adjustments	ROPS 21-22B Amended Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ 149,787	\$ -	\$ 149,787
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	149,787	-	149,787
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 11,400,258	\$ 1,844,200	\$ 13,244,458
F RPTTF	11,203,886	1,844,200	13,048,086
G Administrative RPTTF	196,372	-	196,372
H Current Period Enforceable Obligations (A+E)	\$ 11,550,045	\$ 1,844,200	\$ 13,394,245

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

Anaheim
Amended Recognized Obligation Payment Schedule (ROPS 21-22B) - ROPS Detail
January 1, 2022 through June 30, 2022

Item #	Project Name	Obligation Type	Total Outstanding Obligation	Authorized Amounts					Total	Requested Adjustments					Total	Notes
				Fund Sources						Fund Sources						
				Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		
			\$240,390,422	\$-	\$-	\$149,787	\$11,203,886	\$196,372	\$11,550,045	\$-	\$-	\$-	\$1,844,200	\$-	\$1,844,200	
50	Tax Allocation Refunding Bonds	Bonds Issued On or Before 12/31/10	\$50,330,933	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
54	Fiscal agent/arbitrage svcs	Fees	\$520,000	-	-	-	14,000	-	\$14,000	-	-	-	-	-	\$-	
56	HUD 108 Loan-Capital Projects	CDBG/HUD Repayment to City/County	\$4,420,572	-	-	-	68,846	-	\$68,846	-	-	-	-	-	\$-	
58	HUD 108 Loan-Westgate	CDBG/HUD Repayment to City/County	\$2,832,463	-	-	-	50,224	-	\$50,224	-	-	-	-	-	\$-	
63	External Project Costs	Professional Services	\$479,932	-	-	-	20,000	-	\$20,000	-	-	-	-	-	\$-	
66	River Valley Redev. Proj. Area	OPA/DDA/Construction	\$3,539,886	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
68	Anaheim Westgate Center Proj.	Miscellaneous	\$6,069,887	-	-	-	103,952	-	\$103,952	-	-	-	-	-	\$-	
70	8.9-acre SoCal Edison	Miscellaneous	\$15,071,611	-	-	-	285,288	-	\$285,288	-	-	-	-	-	\$-	
71	Shoe City lease	Miscellaneous	\$1,720,181	-	-	-	18,402	-	\$18,402	-	-	-	-	-	\$-	
75	External Project Costs	Professional Services	\$516,000	-	-	-	2,000	-	\$2,000	-	-	-	3,200	-	\$3,200	
103	External Project Costs	Professional Services	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
114	Avon Dakota Revitalization	Miscellaneous	\$3,268,348	-	-	-	1,634,174	-	\$1,634,174	-	-	-	-	-	\$-	
115	Avon Dakota Revitalization	Miscellaneous	\$600,000	-	-	-	300,000	-	\$300,000	-	-	-	-	-	\$-	
116	Project Management	Project Management Costs	\$65,000	-	-	-	32,500	-	\$32,500	-	-	-	-	-	\$-	
117	External Project Costs	Professional Services	\$150,000	-	-	-	75,000	-	\$75,000	-	-	-	-	-	\$-	
135	Administrative Cost Allowance	Admin Costs	\$443,795	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
137	Coop. Agr. - Reimb of Costs	Unfunded Liabilities	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
150	Plaza Redev. Project Area (Previous ROPS Line 65)	OPA/DDA/Construction	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	

Item #	Project Name	Obligation Type	Total Outstanding Obligation	Authorized Amounts					Total	Requested Adjustments					Total	Notes
				Fund Sources						Fund Sources						
				Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		
151	Westgate Remediation (Previous ROPS Line 100)	Remediation	\$20,652,236	-	-	-	995,000	-	\$995,000	-	-	-	1,841,000	-	\$1,841,000	
180	Cooperation /Loan Agreement - 34173(h) - Retroactive Payments (Previous ROPS Line 153)	City/County Loans After 6/27/11	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
185	Administrative Cost Allowance to Housing Successor Per AB 471 (Previous ROPS Line 156)	Housing Entity Admin Cost	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
186	Administrative Cost Allowance to Housing Successor Per AB 471 (Retroactive Disallowed Allowance) - Previous ROPS Line 156	Housing Entity Admin Cost	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
187	Domain Project Area Remediation	Remediation	\$299,575	-	-	149,787	-	-	\$149,787	-	-	-	-	-	\$-	
191	Insurance for Westgate LandFill (Related to Line 151)	Remediation	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
192	Overreported "Other Funds" From Cash Balance Form	Miscellaneous	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
193	2018 Refunding Bonds Series A	Bonds Issued On or Before 12/31/10	\$128,928,500	-	-	-	7,584,500	-	\$7,584,500	-	-	-	-	-	\$-	
195	Westgate Remediation - Water Control Board	Remediation	\$481,503	-	-	-	20,000	-	\$20,000	-	-	-	-	-	\$-	
197	Avon Dakota Revitalization - Retroactive for Line 115	Miscellaneous	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
198	Avon Dakota Revitalization - Retroactive for Line 117	Miscellaneous	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	

Orange Countywide Oversight Board

Agenda Item No. 8b

Date: 9/21/2021

From: Successor Agency to the Placentia Redevelopment Agency

Subject: Resolution of the Countywide Oversight Board Approving Amendment to the Recognized Obligation Payment Schedule (ROPS)

Recommended Action:

Approve resolution approving amendment to FY 2021-22B ROPS for the Placentia Successor Agency

The Placentia Successor Agency requests approval of the Amended Recognized Obligation Payment Schedule (ROPS) 21-22B for the period of January 1, 2022 to June 30, 2022.

Pursuant to HSC section 34177.7 (o) (1) (E), once per ROPS period, and no later than October 1, a successor agency may also submit one amendment to the ROPS approved by the Department of Finance (DOF) pursuant to this subdivision, if the oversight board makes a finding that a revision is necessary for the payment of approved enforceable obligations during the second half of the ROPS period, which shall be defined as January 1 to June 30, inclusive.

SA Staff is recommending the revision of line-items No. 36 and No. 37 related to the payment of loan agreements between the City of Placentia and the SA. The DOF's loan repayment calculation is based upon 50% of the actual residual balance from the Redevelopment Property Tax Trust Fund ("RPTTF") distributions. Based upon the actual residual distributions that were received, the Successor Agency can request a maximum repayment of \$709,834 for line-items No. 36 and No. 37.

Therefore, it is recommended that the SA amend the 21-22 ROPS to increase the amounts originally requested in order to pay off the outstanding obligation for line-item No. 37 in full and increase line-item No. 36 by \$58,044. The Countywide Oversight Board ("OB") and DOF approved the ROPS 21-22 on January 26, 2021, specifically in the amount of \$478,676 for line-Items No. 36 and No. 37. The amendment would increase the enforceable obligation by \$231,158 bringing the total enforceable obligation for ROPS 21-22 to \$709,834. On September 7, 2021, the Successor Agency to the Placentia Redevelopment Agency approved the amendment to the FY 2021-22B ROPS via Resolution No. RSA-2021-02.

Impact on Taxing Entities

The proposed ROPS Amendment will reduce residual RPTTF to the taxing entities from the January 2, 2022 distribution by \$213,158.

Agency Contact

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Jeannette Ortega
Assistant to the City Administrator
City of Placentia
Phone: (714) 993-8264
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Attachments

- Attachment No. 1: Resolution of the Orange Countywide Oversight Board for the Amended Recognized Obligation Payment Schedule 21-22B
- Attachment No. 2: Approved Placentia Successor Agency Resolution No. RSA-2021-02 for the Amended Recognized Obligation Payment Schedule 21-22B

RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD
RESOLUTION NO. _____

A RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD APPROVING AN *AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE* FOR ROPS 21-22B FISCAL PERIOD OF JANUARY 1, 2022 TO JUNE 30, 2022, FOR THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PLACENTIA, SUBJECT TO SUBMITTAL TO, AND REVIEW BY, THE STATE DEPARTMENT OF FINANCE [DOF] UNDER CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 24, PART 1.85, AND AUTHORIZING POSTING AND TRANSMITTAL THEREOF

WHEREAS, the former Redevelopment Agency for the City of Placentia (“Former Agency”) previously was a community redevelopment agency that was previously organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.*, and previously authorized to transact business and exercise powers of a redevelopment agency pursuant to action of the City Council of the City of Placentia (“City”); and

WHEREAS, Assembly Bill x1 26 added Parts 1.8 and 1.85 to Division 24 of the California Health and Safety Code, which caused the dissolution of all redevelopment agencies and wind down of the affairs of former agencies, including as such laws were amended by Assembly Bill 1484 and by other subsequent legislation (“Dissolution Law”); and

WHEREAS, as of February 1, 2012 the Agency was dissolved pursuant to the Dissolution Law, and as a separate public entity, corporate and policy the Successor Agency to the Redevelopment Agency of the City of Placentia (“Successor Agency”) administers the enforcement obligations of the Former Agency and otherwise unwinds the Former Agency’s affairs; and

WHEREAS, prior to July 1, 2018 under the Dissolution Law, in particular Sections 34179 and 34180, all actions of the Successor Agency were subject to the review and approval by a local seven-member oversight board, which oversaw and administered the Successor Agency’s activities during the period from dissolution until June 30, 2018; and

WHEREAS, as of, on and after July 1, 2018, under the Dissolution Law, in particular Section 34179(j), in every California county there shall be only one oversight board that is staffed by the county auditor-controller, with certain exceptions that do not apply in the County of Orange; and

WHEREAS, as of, on and after July 1, 2018, the Orange Countywide Oversight Board (“Oversight Board”) was established through the Orange County Auditor-Controller in compliance with Section 34179(j), which serves as the oversight board to the 25 successor agencies existing and operating in Orange County, including Successor Agency and all other successor agencies in Orange County; and

WHEREAS, every oversight board, both the prior local oversight board and this newly established Orange Countywide Oversight Board, have fiduciary responsibilities to the holders of enforceable obligations and to the taxing entities that benefit from distributions of property tax and other revenues pursuant to Section 34188 of the Dissolution Law; and

WHEREAS, Section 34177(m), 34177(o) and 34179 provide that each ROPS is submitted to, review and approved by the Successor Agency and then reviewed and approved by the Oversight Board final review and approval by the State Department of Finance (“DOF” or “Department”); and

WHEREAS, Section 34177(o)(1)(E) of the Dissolution Law authorizes that “once per period, and no later than October 1, a successor agency may submit one amendment to the [ROPS] approved by the Department pursuant to this subdivision, if the oversight board makes a finding that a revision is necessary for the payment of approved enforceable obligations during the second one-half of the [ROPS] period, which shall be defined as January 1 to June 30, inclusive. A successor agency may only amend the amount requested for payment of approved enforceable obligations. The revised [ROPS] shall be approved by the oversight board and submitted to the Department by electronic means in a manner of the Department’s choosing. The Department shall notify the successor agency and the county auditor-controller as to the outcome of the Department’s review at least 15 days before the date of the property tax distribution”; and

WHEREAS, the Successor Agency has submitted to the Orange Countywide Oversight Board an amendment to ROPS 21-22B reflecting additional payments for line-items No. 36 and No. 37, to enable the Successor Agency to pay off the outstanding obligation for line-item No. 37 in full and increase line-item No. 36 by \$58,044; and

WHEREAS, the objective of this Orange Countywide Oversight Board resolution is to authorize, make findings, and approve the Successor Agency’s amendment of ROPS 21-22B to correct and increase \$231,158 as reflected on the amendment to the Successor Agency’s ROPS 21-22B attached as Attachment No. 1 to this resolution and fully incorporated herein by this reference; and

WHEREAS, the Orange Countywide Oversight Board has reviewed and considered the Successor Agency’s amendment of ROPS 21-22B, and desires to make certain findings, including: (i) amendment is necessary to pay a DOF-approved enforceable obligation on ROPS 21-22 during the “B” fiscal period, (ii) ROPS 21-22B, as amended, is approved, (iii) the Successor Agency or City staff are authorized to post ROPS 21-22B, as amended, on the City’s website, and (iv) staff is directed to transmit ROPS 21-22B, as amended, to the DOF, pursuant to the Dissolution Law;

NOW, THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTYWIDE OVERSIGHT BOARD:

SECTION 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

SECTION 2. The Orange Countywide Oversight Board hereby finds the revision set

forth in amended ROPS 21-22B for funds to be distributed from the Redevelopment Property Tax Trust Fund (RPTTF) for the fiscal period January 1, 2022 to June 30, 2022 is necessary to pay DOF-approved enforceable obligations for such ROPS 21-22B period; in particular, the amendment is to correct and increase the RPTTF authorized for disbursement to the Successor Agency and payment by the Successor Agency to the Redevelopment Agency of the City of Placentia.

SECTION 3. Under the Dissolution Law, the Orange Countywide Oversight Board approves the ROPS 21-22B, as amended, (Attachment No. 1); provided however, that the ROPS 21-22B, as amended, is approved subject to the condition that such ROPS, as amended, is to be submitted to and reviewed by the DOF. Further, the Executive Director of the Successor Agency and his authorized designees, in consultation with legal counsel, shall be authorized to discuss this matter with the DOF and make augmentations, modifications, additions or revisions as may be necessary or directed by DOF.

SECTION 4. The Orange Countywide Oversight Board authorizes transmittal of ROPS 21-22B, as amended, to the DOF.

SECTION 5. The Executive Director of the Successor Agency and his authorized designees directed to post this Resolution, including the ROPS 21-22B, as amended, on the City's website.

SECTION 6. The approval of the amendment to the ROPS 21-22B through this Resolution does not commit the Orange Countywide 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.

SECTION 7. Under Section 34179(h) written notice and information about certain actions taken by the Orange Countywide Oversight Board shall be provided to the DOF by electronic means and in a manner of DOF's choosing. The Orange Countywide Oversight Board's action shall become effective five (5) business days after notice in the manner specified by the DOF unless the DOF requests a review.

SECTION 8. The Clerk of the Orange Countywide Board shall certify to the adoption of this Resolution.

RESOLUTION NO. RSA-2021-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PLACENTIA, APPROVING AND ADOPTING THE AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2022 TO JUNE 30, 2022 (ROPS 21-22B)

A. Recitals.

(i) On December 29, 2011, the California Supreme Court delivered its decision in California Redevelopment Association v. Matosantos, finding ABx1 26 ("Dissolution Act") largely constitutional.

(ii) The Dissolution Act and the California Supreme Court's decision in California Redevelopment Association v. Matosantos, all California redevelopment agencies, including the Redevelopment Agency for the City of Placentia ("former Agency"), were dissolved on February 1, 2012.

(iii) On January 17, 2012, the Placentia City Council adopted Resolution No. R-2012-03 accepting for the City, the role of Successor Agency to the former Redevelopment Agency ("Successor Agency").

(iv) California Health and Safety Code § 34177 provides that before each twelve-month fiscal period, successor agencies to former redevelopment agencies must prepare a Recognized Obligation Payment Schedule ("ROPS") for the enforceable obligations of a former redevelopment agency. The next twelve-month period for which a ROPS is required is the period that commences on July 1, 2021 and ends on June 30, 2022 ("ROPS 21-22").

(v) The City Council, in its capacity as the Successor Agency, adopted Resolution RSA-2021-01 approving the ROPS 21-22 in accordance with California Health and Safety Code § 34177, which covers the twelve-month fiscal period that commences on July 1, 2021 and ends on June 30, 2022.

(vi) The City Council, in its capacity as the Successor Agency, desires to adopt this Resolution approving the Amended ROPS 21-22B in accordance with California Health and Safety Code § 34177, which specifically covers the six-month fiscal period that commences on January 1, 2022 and ends on June 30, 2022.

(vii). All legal prerequisites to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLACENTIA, CALIFORNIA, ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF PLACENTIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

1. In all respects as set forth in the Recitals, Part A., of this Resolution.
2. The City Council, acting in its capacity as the Successor Agency, approves and authorizes transmittal of the draft Amended ROPS 21-22B, covering the period of January 1, 2022 through June 30, 2022, in substantially the form attached hereto as Exhibit "A", as required by State law.
3. In retaining the responsibilities of the Redevelopment Agency of the City of Placentia as provided in California Health and Safety Code § 34177, the City Council expressly determines, recognizes, reaffirms, and ratifies the statutory limitation on the City and the City Council's liability in retaining the responsibilities of the Redevelopment Agency of the City of Placentia under AB X1 26 and AB 1484. Nothing in this Resolution shall be construed as a commitment, obligation, or debt of the City or any resources, funds, or assets of the City to fund the City's service as the Successor Agency to the Redevelopment Agency of the City of Placentia as provided in this Resolution.
4. The City Administrator, or his designee, hereby is authorized and directed to submit the Amended ROPS 21-22B set forth in Exhibit "A" to the Oversight Board for approval and transmittal to all required County and State agencies as well as to post the Amended ROPS 21-22B on the Successor Agency's website.

PASSED, APPROVED and ADOPTED this 7th day of September, 2021.



Craig S. Green, Chairman

ATTEST:



Robert S. McKinnell, Agency Secretary



STATE OF CALIFORNIA
COUNTY OF ORANGE

I, Robert s. McKinnell, Secretary of the Successor Agency to the Redevelopment Agency of the City of Placentia do hereby certify that the foregoing Resolution No. RSA-2021-02 was adopted at a regular meeting of the City Council acting as the Successor Agency to the Redevelopment Agency of the City of Placentia held on the 7th day of September, 2021 by the following vote:

AYES: Council/Agency Members: Shader, Smith, Yamaguchi, Wanke, Green
NOES: Council/Agency Members: None
ABSENT: Council/Agency Members: None
ABSTAIN: Council/Agency Members: None


Robert S. McKinnell, Agency Secretary

Approved as to Form:


Christian L. Bettenhausen, General Counsel

Exhibit A:

Amended Recognized Obligation Payment Schedule for January 1, 2022 to June 30, 2022 (Amended ROPS 21-22B)

Placentia

ROPS 2021-22 Amended

SummaryDetailSubmission

Requested Funding for Obligations		Authorized Amounts	Requested Adjustments	Amended Total
A	Obligations Funded as Follows (B+C+D)	0	0	0
B	Bond Proceeds	0	0	0
C	Reserve Balance	0	0	0
D	Other Funds	0	0	0
E	Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	1,455,916	173,114	1,629,030
F	RPTTF	1,369,251	173,114	1,542,365
G	Administrative RPTTF	86,665	0	86,665
H	Current Period Obligations (A+E)	1,455,916	173,114	1,629,030

Placentia

ROPS 2021-22 Amended

Summary Detail Submission

Filter

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Item #	Obligation Name	Obligation Type	AUTHORIZED AMOUNTS						REQUESTED ADJUSTMENTS						Notes	
			Total Outstanding Balance	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	Total Authorized	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Total Adjusted
	TOTAL		17,628,708				1,369,251	86,665	1,455,916				173,114		173,114	
4	2003 COPs City Reimbursement	Miscellaneous	2,926,139				51,862		51,862							
9	Trustee Fees	Fees	24,750				2,250		2,250							
15	Administrative Overhead	Admin Costs	2,079,960													
19	Bond Administration	Fees	16,500				1,500		1,500							
29	2013 Tax Allocation Refund Bond	Refunding Bonds Issued After 6/27/12	2,717,963				184,963		184,963							
32	2013 Tax Allocation Refund Bond	Reserves	8,720,000				650,000		650,000							
36	Real Property Transaction (312 S. Melrose) between City of Placentia and Redevelopment Agency	City/County Loan (Prior 06/28/11), Property transaction	730,944				239,338		239,338							
37	Real Property Transaction (110 S. Bradford Ave) between City of Placentia and Redevelopment Agency	City/County Loan (Prior 06/28/11), Property transaction	412,452				239,338		239,338				173,114		173,114	Per DOF Suggestion there is enough RPTTF residual that the Successor Agency and payoff any outstanding balance related to the loan from the City.

Placentia

ROPS 2021-22 Amended

Summary.DetailSubmission

Requested Funding for Obligations		Authorized Amounts	Requested Adjustments	Amended Total
A	Obligations Funded as Follows (B+C+D)	0	0	0
B	Bond Proceeds	0	0	0
C	Reserve Balance	0	0	0
D	Other Funds	0	0	0
E	Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	1,455,916	173,114	1,629,030
F	RPTTF	1,369,251	173,114	1,542,365
G	Administrative RPTTF	86,665	0	86,665
H	Current Period Obligations (A+E)	1,455,916	173,114	1,629,030

Placentia

ROPS 2021-22 Amended

[Summary](#) [Detail](#) [Submission](#)

Filter
Export to Excel

	Item #	Obligation Name	Obligation Type	Total Outstanding Balance	AUTHORIZED AMOUNTS						REQUESTED ADJUSTMENTS						Notes
					Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	Total Authorized	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	Total Adjusted	
		TOTAL		17,628,708	-	-	-	1,369,251	86,665	1,455,916	-	-	-	173,114	-	173,114	
	4	2003 COPs City Reimbursement	Miscellaneous	2,926,139	-	-	-	51,862	-	51,862	-	-	-	-	-	-	
	9	Trustee Fees	Fees	24,750	-	-	-	2,250	-	2,250	-	-	-	-	-	-	
	15	Administrative Overhead	Admin Costs	2,079,960	-	-	-	-	-	-	-	-	-	-	-	-	
	19	Bond Administration	Fees	16,500	-	-	-	1,500	-	1,500	-	-	-	-	-	-	
	29	2013 Tax Allocation Refund Bond	Refunding Bonds Issued After 6/27/12	2,717,963	-	-	-	184,963	-	184,963	-	-	-	-	-	-	
	32	2013 Tax Allocation Refund Bond	Reserves	8,720,000	-	-	-	650,000	-	650,000	-	-	-	-	-	-	
	36	Real Property Transaction (312 S. Melrose) between City of Placentia and Redevelopment Agency	City/County Loan (Prior 06/28/11), Property transaction	730,944	-	-	-	239,338	-	239,338	-	-	-	-	-	-	
	37	Real Property Transaction (110 S. Bradford Ave) between City of Placentia and Redevelopment Agency	City/County Loan (Prior 06/28/11), Property transaction	412,452	-	-	-	239,338	-	239,338	-	-	-	173,114	-	173,114	Per DOF Suggestion there is enough RPTTF residual that the Successor Agency and payoff any outstanding balance related to the loan from the City.

CITY OF PLACENTIA

ROPS Review Period:	ROPS 21-22		
Sponsoring Entity Loan Repayment Calculator			
Base Year:	ROPS II July thru December 2012	ROPS III January thru June 2013	Total For Base Year
Residual Balance	0	0	0

Comparison Year:	ROPS 20-21 A July thru December 2020	ROPS 20-21 B January thru June 2021	Total For Comparison Year
Residual Balance	578,193	841,475	1,419,668

A	Total Residual Balance for Comparison Year	1,419,668
B	Total Residual Balance for Base Year	0
A-B	Difference of Residual Balance	1,419,668
		2
	Maximum Repayment for Fiscal Year 2021-22	709,834

Orange Countywide Oversight Board

Agenda Item No. 8c

Date: 9/21/2021

From: Successor Agency to the San Juan Capistrano Redevelopment Agency

Subject: Resolution of the Countywide Oversight Board Approving the Amended Annual Recognized Obligation Payment Schedule (ROPS 21-22B)

Recommended Action:

Approve the resolution authorizing the amended ROPS 21-22B for the San Juan Capistrano Successor Agency

The San Juan Capistrano Successor Agency requests approval of the Amended Recognized Obligation Payment Schedule (ROPS 21-22B).

On October 1 of each year, successor agencies have an opportunity to amend their ROPS for the current fiscal year. When the ROPS for Fiscal Year 2021-22 was submitted to the Department of Finance (DOF) for approval, the DOF adjusted the ROPS by removing Redevelopment Property Tax Trust Fund (RPTTF) funds for fifty percent of the final payment of the 2016 Subordinate Tax Allocation Note and directed the Successor Agency to use bond proceeds for payment. The Successor Agency holds no bond proceeds associated with this debt issue. Accordingly, the accompanying amended ROPS 21-22B provides for a reinstatement of the RPTTF funds requested. The amended ROPS also provides for an adjustment for the final payment due on the Chrysler dealer owner participation agreement that takes into account the actual amount required for the final payment, which had been estimated in the original ROPS filed for Fiscal Year 2021-22.

Additional Documents Requested

Not applicable.

Successor Agency Approval

On September 7, 2021, the San Juan Capistrano Successor Agency approved the Amended ROPS 21-22B.

Impact on Taxing Entities

Approval of the amended ROPS 21-22B will restore the distribution of funds to the amounts previously approved by the Countywide Oversight Board for ROPS 21-22, less \$74,733 for final payment on the Chrysler dealer owner participation agreement.

Staff Contact

Ken Al-Imam, Chief Financial Officer, City of San Juan Capistrano, kalimam@sanjuancapistrano.org

Notifications

California Department of Finance, RedevelopmentAdministration@dof.ca.gov
Orange County Administrative Officer, Frank Kim, frank.kim@ocgov.com
Orange County Auditor-Controller's Office, PTAX@ac.ocgov.com

Orange County Auditor-Controller's Office, Israel Guevara, Israel.Guevara@ac.ocgov.com
State Controller's Office, RDA-SDSupport@sco.ca.gov

Orange Countywide Oversight Board
September 21, 2021

Attachments

- Attachment 1 – Proposed Oversight Board Resolution –Amended ROPS 21-22B
- Attachment 2 – Amended ROPS 21-22B
- Attachment 3 – Approved Successor Agency Resolution –ROPS 21-22B
- Attachment 4 – DOF letter Regarding ROPS 21-22B

**RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD
RESOLUTION NO. _____**

**A RESOLUTION OF THE ORANGE COUNTYWIDE
OVERSIGHT BOARD WITH OVERSIGHT OF THE
SUCCESSOR AGENCY TO THE SAN JUAN CAPISTRANO
COMMUNITY REDEVELOPMENT AGENCY APPROVING
THE AMENDED RECOGNIZED OBLIGATION PAYMENT
SCHEDULE (ROPS) FOR THE PERIOD FROM JANUARY
1, 2022 THROUGH JUNE 30, 2022**

WHEREAS, prior to February 1, 2012, the Community Redevelopment Agency of the City of San Juan Capistrano (“Agency”) was a community redevelopment agency duly organized and existing under the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) and was authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council of the City of San Juan Capistrano (“City”);

WHEREAS, pursuant to AB x1 26, enacted in 2011, as subsequently amended (the “Dissolution Law”), all redevelopment agencies in California were dissolved and replaced by their respective successor agencies to wind down the affairs of the former agencies;

WHEREAS, in accordance with the Dissolution Law, the Agency was dissolved and the City Council of the City now serves and acts as the Successor Agency to the San Juan Capistrano Community Redevelopment Agency (“Successor Agency”) for the purposes of administering the Agency’s remaining enforceable obligations and winding down the Agency’s affairs, subject to the review and approval of the Orange Countywide Oversight Board (“Oversight Board”) and the California Department of Finance (“DOF”);

WHEREAS, in accordance with the Dissolution Law, the Successor Agency previously submitted to the Oversight Board its annual Recognized Obligation Payment Schedule for 2021-22 (“ROPS 21-22”) for its approval;

WHEREAS, on January 26, 2021, the Oversight Board approved ROPS 21-22;

WHEREAS, on January 29, 2021, the Successor Agency submitted the Oversight Board-approved ROPS 21-22 to DOF for approval;

WHEREAS, upon submission, DOF adjusted the ROPS 21-22 by removing tax increment funds for fifty percent of the final payment of the 2016 Subordinate Tax Allocation Note and directed the Successor Agency to use bond proceeds for payment;

WHEREAS, the Successor Agency holds no bond proceeds associated with this debt issue and therefore, as it is permitted to do prior to October 1 of each year, amended ROPS 21-22 (“ROPS 21-22B”) to provide for a reinstatement of the tax increment funds requested, as well as an adjustment for the final payment due on the Chrysler owner participation agreement that takes

into account the actual amount required for the final payment, which had been estimated in the ROPS 21-22; and

WHEREAS, on September 7, 2021, the Successor Agency approved the amended ROPS 21-22B and has requested that the Oversight Board approve the ROPS 21-22B as well.

NOW, THEREFORE, THE ORANGE COUNTYWIDE OVERSIGHT BOARD 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. Dissolution Law Consistency. The proposed actions in this Resolution are consistent with the Dissolution Law.

Section 3. Approval of ROPS 21-22B. The Orange Countywide Oversight Board approves the ROPS 21-22B in substantially the form attached to this Resolution as Exhibit A.

Section 4. Implementation. The Orange Countywide Oversight Board hereby authorizes and directs the Successor Agency and Successor Agency staff to take any and all actions necessary and appropriate to effectuate the purposes of this Resolution in compliance with applicable law, including without limitation, posting of the ROPS 21-22B and this Resolution on the Successor Agency's website immediately upon the approval of this Resolution, and transmittal of this Resolution to the Department of Finance, County auditor-controller, and County Executive Officer, pursuant to Health & Safety Code Section 34179(h).

Section 5. CEQA. The approval of the Assignment through this Resolution does not commit the Orange Countywide 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.

Section 6. Severability. If any provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity, and the provisions of this Resolution are severable.

Section 7. Certification. The Clerk of the Orange Countywide Oversight Board shall certify to the adoption of this Resolution.

Section 8. Effective Date. This Resolution shall become effective immediately upon adoption.

EXHIBIT A

AMENDED ROPS 21-22B

[Attached behind this cover page]

**Amended Recognized Obligation Payment Schedule (ROPS 21-22B) - Summary
Filed for the January 1, 2022 through June 30, 2022 Period**

Successor Agency: San Juan Capistrano
County: Orange

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	ROPS 21-22B Authorized Amounts	ROPS 21-22B Requested Adjustments	ROPS 21-22B Amended Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ 40,119	\$ -	\$ 40,119
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	40,119	-	40,119
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 2,448,246	\$ 447,460	\$ 2,895,706
F RPTTF	2,360,278	447,460	2,807,738
G Administrative RPTTF	87,968	-	87,968
H Current Period Enforceable Obligations (A+E)	\$ 2,488,365	\$ 447,460	\$ 2,935,825

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

San Juan Capistrano
Amended Recognized Obligation Payment Schedule (ROPS 21-22B) - ROPS Detail
January 1, 2022 through June 30, 2022

Item #	Project Name	Obligation Type	Total Outstanding Obligation	Authorized Amounts					Total	Requested Adjustments					Total	Notes
				Fund Sources						Fund Sources						
				Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		
			\$34,155,118	\$-	\$-	\$40,119	\$2,360,278	\$87,968	\$2,488,365	\$-	\$-	\$-	\$447,460	\$-	\$447,460	
3	2008 Tax Allocation Bonds, Series A	Bonds Issued On or Before 12/31/10	\$8,228,392	-	-	40,119	601,672	-	\$641,791	-	-	-	-	-	-	-
4	2008 Tax Allocation Bonds, Series B (Taxable)	Bonds Issued On or Before 12/31/10	\$12,039,324	-	-	-	947,023	-	\$947,023	-	-	-	-	-	-	-
7	OPA-Capistrano Volkswagen	OPA/DDA/Construction	\$-	-	-	-	-	-	\$-	-	-	-	-	-	-	-
9	Agreement-TCAG Ford	OPA/DDA/Construction	\$638,678	-	-	-	5,000	-	\$5,000	-	-	-	-	-	-	-
10	Agreement-OC Chrysler	OPA/DDA/Construction	\$78,921	-	-	-	-	-	\$-	-	-	-	74,733	-	\$74,733	
16	Tax Anticipation Agreement (City/Agency Loan □1-See Notes)	City/County Loan (Prior 06/28/11), Cash exchange	\$152,587	-	-	-	-	-	\$-	-	-	-	-	-	-	-
17	Trulis Acquisition - Loan Agreement (City/Agency Loan □2 - See Notes)	City/County Loan (Prior 06/28/11), Cash exchange	\$50,527	-	-	-	-	-	\$-	-	-	-	-	-	-	-
28	Administrative Cost Allowance	Admin Costs	\$2,814,992	-	-	-	-	-	\$-	-	-	-	-	-	-	-
51	Lower Rosan Ranch - 2016 Subordinated Tax Allocation Note (See Notes)	Refunding Bonds Issued After 6/27/12	\$372,727	-	-	-	-	-	\$-	-	-	-	372,727	-	\$372,727	
52	Costs associated with selling properties (appraisals, surveys, etc.)	Property Dispositions	\$-	-	-	-	-	-	\$-	-	-	-	-	-	-	-
53	2018 Tax Allocation Refunding Bonds	Refunding Bonds Issued After 6/27/12	\$9,778,970	-	-	-	806,583	-	\$806,583	-	-	-	-	-	-	-

RESOLUTION NO. SACRA 21-09-07-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE SAN JUAN CAPISTRANO COMMUNITY REDEVELOPMENT AGENCY APPROVING THE AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE PERIOD FROM JANUARY 1, 2022, THROUGH JUNE 30, 2022, AND TAKING RELATED ACTIONS

WHEREAS, pursuant to Health and Safety Code Section 34177(o), the Successor Agency to the San Juan Capistrano Community Redevelopment Agency (the "Successor Agency") must prepare a Recognized Obligation Payment Schedule listing the anticipated payments for enforceable obligations to be made by the Successor Agency during the fiscal period from July 1, 2021, through June 30, 2022 ("ROPS 21-22") and submit ROPS 21-22 to the oversight board having jurisdiction over the Successor Agency (the "Oversight Board") for approval, then to the California Department of Finance ("DOF") for approval at which time it becomes effective;

WHEREAS, on January 26, 2021, the Oversight Board approved the ROPS 21-22;

WHEREAS, on January 29, 2021, the Successor Agency submitted the Oversight Board-approved ROPS 21-22 to DOF for approval;

WHEREAS, upon submission, DOF adjusted the ROPS 21-22 by removing tax increment funds for fifty percent of the final payment of the 2016 Subordinate Tax Allocation Note and directed the Successor Agency to use bond proceeds for payment;

WHEREAS, the Successor Agency holds no bond proceeds associated with this debt issue and therefore, as it is permitted to do prior to October 1 of each year, amended ROPS 21-22 ("ROPS 21-22B") to provide for a reinstatement of the tax increment funds requested, as well as an adjustment for the final payment due on the Chrysler owner participation agreement that takes into account the actual amount required for the final payment, which had been estimated in the ROPS 21-22; and

WHEREAS, the Successor Agency requests that the Oversight Board approve the ROPS 21-22B pursuant to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE SUCCESSOR AGENCY OF THE SAN JUAN CAPISTRANO COMMUNITY REDEVELOPMENT AGENCY:

Section 1. The above recitals are true and correct and are a substantive part of this Resolution.

Section 2. ROPS 21-22B, substantially in the form attached hereto as Exhibit A, is hereby approved. The Executive Director of the Successor Agency, in consultation with the Successor Agency's legal counsel, may modify ROPS 21-22B as the Executive Director or the Successor Agency's legal counsel deems necessary or advisable.

Section 3. Staff is hereby authorized and directed to post a copy of the Oversight Board-approved ROPS 21-22B on the Successor Agency's Internet website (being a page on the Internet website of the City of San Juan Capistrano).

Section 4. The Authorized Officers and any and all other officers of the Successor Agency are hereby authorized and directed, for and in the name and on behalf of the Successor Agency, to do any and all things and take any and all actions, which they, or any of them, may deem necessary or advisable in obtaining the requested approvals by the Oversight Board and DOF of the ROPS 21-22B. Whenever in this Resolution any officer of the Successor Agency is directed to execute or countersign any document or take any action, such execution, countersigning or action may be taken on behalf of such officer by any person designated by such officer to act on his or her behalf in the case such officer is absent or unavailable.

Section 9. This Resolution shall take effect immediately upon adoption.

Section 10. The Secretary shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 7th day of September 2021.



TROY A. BOURNE, CHAIR

ATTEST:



MARIA MORRIS, AGENCY SECRETARY

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF SAN JUAN CAPISTRANO)

I, MARIA MORRIS, appointed Agency Secretary of the Board of Directors of the Successor Agency to the San Juan Capistrano Community Redevelopment Agency, do hereby certify that the foregoing Resolution No. SACRA 21-09-07-01 was duly adopted by the City Council of the City of San Juan Capistrano at a Regular meeting thereof, held the 7th day of September 2021, by the following vote:

AYES: BOARD MEMBERS: Hart, Taylor, Farias and Chair Bourne
NOES: BOARD MEMBERS: None
ABSENT: BOARD MEMBERS: Reeve



MARIA MORRIS, AGENCY SECRETARY

EXHIBIT A

ROPS 21-22B

[Attached behind this cover page]

**Amended Recognized Obligation Payment Schedule (ROPS 21-22B) - Summary
Filed for the January 1, 2022 through June 30, 2022 Period**

Successor Agency: San Juan Capistrano
County: Orange

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	ROPS 21-22B Authorized Amounts	ROPS 21-22B Requested Adjustments	ROPS 21-22B Amended Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ 40,119	\$ -	\$ 40,119
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	40,119	-	40,119
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 2,448,246	\$ 447,460	\$ 2,895,706
F RPTTF	2,360,278	447,460	2,807,738
G Administrative RPTTF	87,968	-	87,968
H Current Period Enforceable Obligations (A+E)	\$ 2,488,365	\$ 447,460	\$ 2,935,825

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

San Juan Capistrano
Amended Recognized Obligation Payment Schedule (ROPS 21-22B) - ROPS Detail
January 1, 2022 through June 30, 2022

Item #	Project Name	Obligation Type	Total Outstanding Obligation	Authorized Amounts				Total	Requested Adjustments				Total	Notes	
				Fund Sources					Fund Sources						
				Bond Proceeds	Reserve Balance	Other Funds	RPTTF		Admin RPTTF	Bond Proceeds	Reserve Balance	Other Funds			RPTTF
3	2008 Tax Allocation Bonds, Series A	Bonds Issued On or Before 12/31/10	\$34,155,118	\$-	\$40,119	\$2,360,278	\$87,968	\$2,488,365	\$-	\$-	\$-	\$447,460	\$-	\$447,460	
4	2008 Tax Allocation Bonds, Series B (Taxable)	Bonds Issued On or Before 12/31/10	\$12,039,324	-	-	947,023	-	\$947,023	-	-	-	-	-	-	
7	OPA-Capistrano Volkswagen	OPA/DDA/Construction	\$-	-	-	-	-	\$-	-	-	-	-	-	-	
9	Agreement-TCAG Ford	OPA/DDA/Construction	\$638,678	-	-	5,000	-	\$5,000	-	-	-	-	-	-	
10	Agreement-OC Chrysler	OPA/DDA/Construction	\$78,921	-	-	-	-	\$-	-	-	-	74,733	-	\$74,733	
16	Tax Anticipation Agreement (City/Agency Loan #1-See Notes)	City/County Loan (Prior 06/28/11), Cash exchange	\$152,587	-	-	-	-	\$-	-	-	-	-	-	\$-	
17	Trulis Acquisition - Loan Agreement (City/Agency Loan #2 - See Notes)	City/County Loan (Prior 06/28/11), Cash exchange	\$50,527	-	-	-	-	\$-	-	-	-	-	-	\$-	
28	Administrative Cost Allowance	Admin Costs	\$2,814,992	-	-	-	-	\$-	-	-	-	-	-	\$-	
51	Lower Rosan Ranch - 2016 Subordinated Tax Allocation Note (See Notes)	Refunding Bonds Issued After 6/27/12	\$372,727	-	-	-	-	\$-	-	-	-	372,727	-	\$372,727	
52	Costs associated with selling properties (appraisals, surveys, etc.)	Property Dispositions	\$-	-	-	-	-	\$-	-	-	-	-	-	\$-	
53	2018 Tax Allocation Refunding Bonds	Refunding Bonds Issued After 6/27/12	\$9,778,970	-	-	806,583	-	\$806,583	-	-	-	-	-	\$806,583	



Transmitted via e-mail

April 7, 2021

Ken Al-Imam, Chief Financial Officer
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

2021-22 Annual Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (o) (1), the City of San Juan Capistrano Successor Agency (Agency) submitted an annual Recognized Obligation Payment Schedule for the period July 1, 2021 through June 30, 2022 (ROPS 21-22) to the California Department of Finance (Finance) on January 29, 2021. Finance has completed its review of the ROPS 21-22.

Based on a sample of line items reviewed and application of the law, Finance made the following determinations:

- Item No. 51 – Lower Rosan Ranch - 2016 Subordinated Tax Allocation Note in the amount of \$372,727 has been reclassified. The Agency requested Redevelopment Property Tax Trust Fund (RPTTF) funding for this item. However, it is our understanding the payment for this obligation in the July 1, 2021 through December 31, 2022 (ROPS 21-22A) period will be made with Bond Proceeds and not RPTTF. Therefore, Finance has reclassified the funding source for the ROPS 21-22A payment from RPTTF to Bond Proceeds in the amount of \$372,727.
- On the ROPS 21-22 form, the Agency reported cash balances and activity for the period July 1, 2018 through June 30, 2019 (ROPS 18-19). According to our review, the Agency has approximately \$40,119 from Other Funds available to fund enforceable obligations on the ROPS 21-22. HSC section 34177 (l) (1) (E) requires these balances to be used prior to requesting RPTTF funding. This item does not require payment from property tax revenues; therefore, with the Agency's concurrence, the funding source for the following item has been reclassified in the amount specified below:
 - Item No. 3 – 2008 Tax Allocation Bonds, Series A in the amount of \$641,791 is partially reclassified. Finance is approving RPTTF in the amount of \$601,672 and the use of Other Funds in the amount of \$40,119, totaling \$641,791.

Pursuant to HSC section 34186, successor agencies are required to report differences between actual payments and past estimated obligations (prior period adjustments) for the ROPS 18-19 period. The ROPS 18-19 prior period adjustment (PPA) will offset the ROPS 21-22 RPTTF distribution. The amount of RPTTF authorized includes the PPA resulting from the County Auditor-Controller's review of the PPA form submitted by the Agency.

The Agency's maximum approved RPTTF distribution for the reporting period is \$2,754,888, as summarized in the Approved RPTTF Distribution table (see Attachment).

RPTTF distributions occur biannually, one distribution for the July 1, 2021 through December 31, 2021 period (ROPS A period), and one distribution for the January 1, 2022 through June 30, 2022 period (ROPS B period), based on Finance's approved amounts. Since this determination is for the entire ROPS 21-22 period, the Agency is authorized to receive up to the maximum approved RPTTF through the combined ROPS A and B period distributions.

Except for the adjusted item, Finance does not object to the remaining items listed on the ROPS 21-22. If the Agency disagrees with our determination with respect to any items on the ROPS 21-22, except items which are the subject of litigation disputing our previous or related determinations, the Agency may request a Meet and Confer within five business days from the date of this letter. The Meet and Confer process and guidelines are available on our website:

http://dof.ca.gov/Programs/Redevelopment/Meet_And_Confer/

The Agency must use the RAD App to complete and submit its Meet and Confer request form.

Absent a Meet and Confer, this is our final determination regarding the obligations listed on the ROPS 21-22. This determination only applies to items when funding was requested for the 12-month period. If a determination by Finance in a previous ROPS is currently the subject of litigation, the item will continue to reflect the determination until the matter is resolved.

The ROPS 21-22 form submitted by the Agency and this determination letter will be posted on our website:

<http://dof.ca.gov/Programs/Redevelopment/ROPS/>

This determination is effective for the ROPS 21-22 period only and should not be conclusively relied upon for future ROPS periods. All items listed on a future ROPS are subject to Finance's review and may be adjusted even if not adjusted on this ROPS or a preceding ROPS. The only exception is for items that have received a Final and Conclusive determination from Finance pursuant to HSC section 34177.5 (i). Finance's review of Final and Conclusive items is limited to confirming the scheduled payments as required by the obligation.

The amount available from the RPTTF is the same as the amount of property tax increment available prior to the enactment of the redevelopment dissolution law. Therefore, as a practical matter, the ability to fund the items on the ROPS with property tax increment is limited to the amount of funding available to the Agency in the RPTTF.

Ken Al-Imam
April 7, 2021
Page 3

Please direct inquiries to Anna Kyumba, Supervisor, or Garrett Fujitani, Staff, at (916) 322-2985.

Sincerely,



JENNIFER WHITAKER
Program Budget Manager

cc: Brandon Fender, Consultant, City of San Juan Capistrano
Wendy Tsui, Administrative Manager I, Property Tax Unit, Orange County

Approved RPTTF Distribution July 2021 through June 2022			
	ROPS A	ROPS B	Total
RPTTF Requested	\$ 814,762	\$ 2,400,397	\$ 3,215,159
Administrative RPTTF Requested	87,969	87,968	175,937
Total RPTTF Requested	902,731	2,488,365	3,391,096
RPTTF Requested	814,762	2,400,397	3,215,159
<u>Adjustment(s)</u>			
Item No. 3	0	(40,119)	(40,119)
Item No. 51	(372,727)	0	(372,727)
	(372,727)	(40,119)	(412,846)
RPTTF Authorized	442,035	2,360,278	2,802,313
Administrative RPTTF Authorized	87,969	87,968	175,937
ROPS 18-19 prior period adjustment (PPA)	(223,362)	0	(223,362)
Total RPTTF Approved for Distribution	\$ 306,642	\$ 2,448,246	\$ 2,754,888