

Orange Countywide Oversight Board

Agenda Item No. 4

Date: January 18, 2022

From: Successor Agency to the Seal Beach Redevelopment Agency

Subject: Resolution of the Countywide Oversight Board in the Matter of the Formal Dissolution of the Successor Agency to the Seal Beach Redevelopment Agency and Taking Related Actions

Recommended Action:

Adopt resolution to formally dissolve the Successor Agency to the Seal Beach Redevelopment Agency (the “Successor Agency”) and taking related actions.

The Successor Agency’s Board of Directors (the “SA Board”) adopted its Resolution No. SA 21-02, on September 27, 2021, to request the Countywide Oversight Board’s approval of the formal dissolution of the Successor Agency. The Countywide Oversight Board adopted Resolution No. 21-027, on October 12, 2021, approving the request. The California State of Department of Finance (the “DOF”) issued its letter, dated November 17, 2021 (the “DOF Approval”), approving the Countywide Oversight Board resolution and the request.

Pursuant to HSC Section 34187(e), the Successor Agency must take the following steps within 100 days of the DOF’s approval:

- (1) dispose of all remaining assets and transfer the any proceeds to the County Auditor-Controller for distribution to the affected taxing entities.
- (2) send notification (the “Notification”) the Countywide Oversight Board that it has complied with such disposition and transfer of proceeds.

The Countywide Oversight Board has received a copy of Resolution No. SA 21-03, adopted by the SA Board on December 13, 2021 (the “SA Final Resolution”). The SA Final Resolution serves as the Notification to the Countywide Oversight Board for the purposes of HSC Section 34187(e).

Per HSC Section 34187(f), upon receipt of the Notification, the Countywide Oversight Board must verify that, with respect to the Successor Agency, all obligations have been retired or paid off, all outstanding litigation has been resolved, and all remaining assets have been disposed of with any proceeds remitted to the County Auditor-Controller for distribution to the affected taxing entities. Within 14 days of verification, the Countywide Oversight Board must adopt a final resolution to dissolve the Successor Agency, which will become effective immediately.

Attached to the SA Final Resolution is the unaudited final accounting of the Successor Agency funds, as of December 7, 2021, showing that the Successor Agency has no outstanding assets or obligations. The SA Final Resolution recites the SA Board’s findings and determinations that: (i) all of the Successor Agency’s obligations have been retired or paid off, (ii) there is no outstanding

Orange Countywide Oversight Board

litigation to which the Successor Agency is a party, and (iii) all of the Successor Agency's assets have been disposed of with any proceeds thereof remitted to the County Auditor-Controller.

It is recommended that the Countywide Oversight Board adopt the attached final resolution to formally dissolve the Successor Agency.

Impact on Taxing Entities:

In conjunction with the retirement and pay-off of all of the Successor Agency's enforceable obligation and the dissolution of the Successor Agency, all statutory and contractual pass-through payments relating to the project areas of the former Redevelopment Agency of the City of Seal Beach will cease and no further property tax will be allocated to the Successor Agency's Redevelopment Property Tax Trust Fund.

Staff Contact(s):

Kelly Telford, City of Seal Beach Treasurer/Finance Director

Attachments:

Attachment 1 -- Proposed Oversight Board Resolution (with Successor Agency Board Resolution No. SA 21-03, as Exhibit A).

RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD

RESOLUTION NO. _____

**IN THE MATTER OF THE FORMAL DISSOLUTION OF THE
SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT
AGENCY AND TAKING RELATED ACTIONS**

WHEREAS, pursuant to AB X1 26 (enacted in June 2011) and the California Supreme Court’s decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, 53 Cal. 4th 231 (2011), the Redevelopment Agency of the City of Seal Beach (the “**Former Agency**”) was dissolved as of February 1, 2012, and the Successor Agency to the Seal Beach Redevelopment Agency (the “**Successor Agency**”) was constituted; and

WHEREAS, pursuant to Section 34179(j) of the California Health and Safety Code (“**HSC**”), commencing on and after July 1, 2018, the Orange Countywide Oversight Board (the “**Countywide Oversight Board**”) has jurisdiction over the Successor Agency; and

WHEREAS, the Successor Agency is tasked with winding down the Former Agency’s affairs; and

WHEREAS, pursuant to HSC Section 34187(b), the Successor Agency shall submit to the Countywide Oversight Board a request, with a copy to the Orange County Auditor-Controller (the “**County Auditor-Controller**”) to formally dissolve the Successor Agency within 30 days of meeting the following criteria (collectively, the “**Dissolution Criteria**”):

- (i) all enforceable obligations have been retired or paid off,
- (ii) all real property has been disposed of pursuant to HSC Section 34181 or 34191.4, and
- (iii) all outstanding litigation has been resolved.; and

WHEREAS, the Countywide Oversight Board received a copy of Resolution No. SA 21-02, adopted on September 27, 2021 (the “**SA Request Resolution**”), by the Board of Directors (the “**SA Board**”) of the Successor Agency, which is set forth in Exhibit A attached hereto; and

WHEREAS, by adoption of SA Resolution, the SA Board found and determined that the Successor Agency have met the Dissolution Criteria and requested the Countywide Oversight Board to approve and direct the Successor Agency’s formal dissolution; and

WHEREAS, pursuant to HSC Section 34187(b), the Countywide Oversight Board shall approve the Successor Agency’s dissolution request within 30 days and, further, shall submit such request to the California State Department of Finance (the “**DOF**”); and

WHEREAS, the Countywide Oversight Board adopted Resolution No. 21-027, on October 12, 2021 (the “**OB Approving Resolution**”), approving the Successor Agency’s request to formally dissolve; and

WHEREAS, the DOF issued its letter, dated November 17, 2021 (the “**DOF Approval**”), approving the OB Approval Resolution; and

WHEREAS, pursuant to HSC Section 34187(e), within 100 days of the issuance of the DOF’s Approval, the Successor Agency shall dispose of all remaining assets as directed by the Countywide Oversight Board and the proceeds of such disposition shall be transferred to the County Auditor-Controller (the “**Final Transfer**”); and

WHEREAS, as memorialized in the SA Request Resolution, the Successor Agency’s remaining assets consisted only of the Released Bond Funds (as defined in the SA Request Resolution); and

WHEREAS, the Final Transfer was accomplished by the transfer of the Released Bond Funds and remaining administrative funds, in the amount of \$535,525.52 to the County Auditor-Controller on December 7, 2021; and

WHEREAS, the SA Board adopted Resolution No. SA 21-03, on December 13, 2021 (the “**SA Notification Resolution**”), to notify the Countywide Oversight Board of the completion of the Final Transfer, and a copy of the SA Notification Resolution is set forth in Exhibit A;

WHEREAS, pursuant to HSC Section 34187(f), upon receipt of the SA Notification Resolution, the Countywide Oversight Board shall: (i) make a verification (the “**Verification**”) all of the Successor Agency’s obligations have been retired or paid off, all outstanding litigation has been resolved, and all remaining assets have been disposed of with any proceeds remitted to the County Auditor-Controller for distribution to the affected taxing entities; and (ii) within 14 days of Verification, adopt a final resolution of dissolution for the Successor Agency, which shall be effective immediately; and

WHEREAS, the Countywide Oversight Board has completed the Verification;

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

SECTION 1. The Recitals set forth above are true and correct and are incorporated into the Resolution by this reference.

SECTION 2. The Countywide Oversight Board hereby finds, determines and verifies that, with respect to the Successor Agency, all of the Successor Agency’s obligations have been retired or paid off, all outstanding litigation has been resolved, and all remaining assets have been disposed of with any proceeds remitted to the County Auditor-Controller for distribution to the affected taxing entities.

SECTION 3. The Successor Agency is hereby dissolved.

SECTION 4. The Clerk of the Countywide Oversight Board is hereby directed to send copies of this Resolution to the City of Seal Beach, the County Auditor-Controller, the State Controller's Office, and the DOF by electronic means and in a manner of each entity's choosing

SECTION 5. The approval of this Resolution does not commit the 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 (California Public Resources Code Section 21000 *et seq.*).

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

SECTION 7. Pursuant to HSC Section 34187(f), this Resolution shall become effective immediately upon adoption.

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

The foregoing was passed and adopted by the following vote of the Orange Countywide Oversight Board on the 18 day of January, 2022.

EXHIBIT A

SA Notification Resolution

Resolution No. SA 21-03

adopted by the Board of Directors of the Seal Beach Successor Agency

(attached)

RESOLUTION SA 21-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT AGENCY DIRECTING THE NOTIFICATION TO THE OVERSIGHT BOARD REGARDING THE DISPOSITION OF ASSETS IN CONNECTION WITH THE SUCCESSOR AGENCY'S DISSOLUTION, DIRECTING DISSOLUTION UPON THE OVERSIGHT BOARD'S ADOPTION OF THE FINAL RESOLUTION, MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TAKING RELATED ACTIONS

RECITALS:

A. Pursuant to AB X1 26 (enacted in June 2011) and the *California Supreme Court's decision in California Redevelopment Association, et al. v. Ana Matosantos, et al., 53 Cal. 4th 231 (2011)*, the Redevelopment Agency of the City of Seal Beach (the "Former Agency") was dissolved as of February 1, 2012, and the Successor Agency to the Seal Beach Redevelopment Agency (the "Successor Agency") was constituted.

B. Pursuant to Section 34179(j) of the California Health and Safety Code ("HSC"), from and after July 1, 2018, the Orange Countywide Oversight Board (the "Oversight Board") is the oversight board for the Successor Agency.

C. The Successor Agency is tasked with winding down the Former Agency's affairs.

D. Pursuant to HSC Section 34187(b), the Successor Agency shall submit to the Oversight Board a request, with a copy to the Orange County Auditor-Controller (the "County Auditor-Controller"), to formally dissolve the Successor Agency within 30 days of meeting the following criteria (collectively, the "Dissolution Criteria"):

- (i) all enforceable obligations have been retired or paid off,
- (ii) all real property has been disposed of pursuant to HSC Section 34181 or 34191.4, and
- (iii) all outstanding litigation has been resolved.

E. This Board of Directors (the "Board"), having determined that the Successor Agency has met the Dissolution Criteria, adopted Resolution No. SA 21-02, on September 27, 2021 (the "SA Request Resolution"), to request the Oversight Board to approve the Successor Agency's formal dissolution.

F. Copies of the SA Request Resolution were submitted to the Oversight Board and the County Auditor-Controller pursuant to HSC Section 34187(b).

G. The Oversight Board adopted its Resolution No. 21-027, on October 12, 2021 (the "OB Approving Resolution"), approving the Successor Agency's request to formally dissolve.

H. Pursuant to HSC Section 34187(b), the OB Approval Resolution (with a copy of the SA Request Resolution attached as Exhibit A thereto) was submitted to the California State Department of Finance (the "DOF") for approval.

I. The DOF issued its letter, dated November 17, 2021 (the "DOF Approval"), approving the OB Approval Resolution.

J. Pursuant to HSC Section 34187(e), within 100 days after the issuance of the DOF Approval, the Successor Agency shall dispose of all remaining assets as directed by the Oversight Board and the proceeds of such disposition shall be transferred to the County Auditor-Controller (the "Final Transfer").

K. The Final Transfer was accomplished by the transfer of the Released Bond Funds (as defined in the SA Request Resolution) and remaining unspent administration funds, in the amount of \$535,525.52 to the County Auditor-Controller on December 7, 2021.

L. Pursuant to HSC Section 34187(e)(2), the Successor Agency shall send a notification (the "Notification") to the Oversight Board after completing the Final Transfer.

M. Pursuant to HSC Section 34187(f), upon receipt of the Notification, the Oversight Board shall: (i) verify all of the Successor Agency's obligations have been retired or paid off, all outstanding litigation has been resolved, and all remaining assets have been disposed of with any proceeds remitted to the County Auditor-Controller for distribution to the affected taxing entities; and (ii) within 14 days of verification, adopt a final resolution (the "OB Final Resolution") of dissolution for the Successor Agency, which shall be effective immediately.

N. Attached in Attachment A is the unaudited final accounting of the Successor Agency funds, as of December 7, 2021 (the "Unaudited Final Accounting Statement"), showing that the Successor Agency has no outstanding assets or obligations.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT AGENCY, HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

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

Section 2. The Board hereby finds, determines and affirms that:

- (i) all Successor Agency's obligations have been retired or paid off,
- (ii) there is no outstanding litigation to which the Successor Agency is a party, and
- (iii) all of the Successor Agency's assets have been disposed of with any proceeds thereof remitted to the County Auditor-Controller.

Section 3. The Agency Clerk is hereby directed to cause a copy of this Resolution to be submitted to the Oversight Board. This Resolution shall serve as the Notification for the purposes of HSC Section 34187(e)(2).

Section 4. The Oversight Board is hereby requested to adopt the OB Final Resolution to formally dissolve the Successor Agency.

Section 5. It is hereby declared and directed that the Successor Agency shall be dissolved upon the Oversight Board's adoption of the OB Final Resolution, without any further action on the Board's part.

Section 6. The Board hereby finds and determines that the dissolution of the Successor Agency shall constitute a change in the organization or reorganization of local governmental agencies that does not alter the geographic areas within which the powers are exercised for the purposes of the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*). Therefore, such dissolution shall be exempt from environmental review, pursuant to Section 15320 of Title 14 of the California Code of Regulations. In addition, it can be seen with certainty that such request and the dissolution of the Successor Agency will not have a significant effect on the environment. Therefore, such request and dissolution shall be exempt from environmental review, pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Section 7. The officers and the other Staff members of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things, including the execution of any instruments, which they may deem necessary or advisable to effectuate this Resolution and any such actions previously taken are hereby ratified and confirmed.

PASSED, APPROVED and ADOPTED by the Board of Directors of the Successor Agency to the Seal Beach Redevelopment Agency at a regular meeting held on the 13 day of December, 2021, by the following vote:

AYES: Massa-Lavitt, Moore, Sustarsic, Varipapa, Kalmick

NOES: None

ABSENT: None

ABSTAIN: None

Joe Kalmick, Chair

ATTEST:

Gloria D. Harper, Secretary



STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS
CITY OF SEAL BEACH }

I, Gloria D. Harper, Secretary of the Successor Agency to the Seal Beach Redevelopment Agency, do hereby certify that the foregoing resolution is the original copy of Resolution SA 21-03 on file in the office of the City Clerk of the City of Seal Beach, passed, approved, and adopted by the Successor Agency to the Seal Beach Redevelopment Agency at a regular meeting held on the 13th day of December, 2021.

Gloria D. Harper, Secretary

ATTACHMENT A

Unaudited Final Accounting Statement

(attached)

UNAUDITED PRELIMINARY ACCOUNTING STATEMENT

ATTACHMENT A
As Of 11/18/2021

Balance Sheet

| Account | Name | Balance |
|--|---|--|
| Fund: 709 - Successor Agency Debt Service | | |
| Assets | | |
| <u>709-000-0000-10000</u> | Cash in Bank | 0.00 |
| <u>709-000-0000-10001</u> | Claim on Cash | 2,462.28 |
| <u>709-000-0000-10010</u> | Cash with Fiscal Agent | 0.00 |
| | Total Assets: | <u>2,462.28</u> <u>2,462.28</u> |
| Liability | | |
| <u>709-000-0000-21002</u> | Accounts Payable Pending | 0.00 |
| <u>709-000-0000-23000</u> | Interest Payable | 0.00 |
| <u>709-000-0000-29100</u> | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | <u>0.00</u> |
| Equity | | |
| <u>709-000-0000-39500</u> | Fund Balance Unassigned | 2,462.28 |
| | Total Beginning Equity: | <u>2,462.28</u> |
| Total Revenue | | 0.00 |
| Total Expense | | 0.00 |
| Revenues Over/Under Expenses | | 0.00 |
| | Total Equity and Current Surplus (Deficit): | <u>2,462.28</u> |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u>2,462.28</u> |

UNAUDITED PRELIMINARY ACCOUNTING STATEMENT

ATTACHMENT A
As Of 11/18/2021

Balance Sheet

| Account | Name | Balance | |
|--|---|-------------------|---------------------------------|
| Fund: 711 - Successor Agency Retirement Obligation Fund | | | |
| Assets | | | |
| <u>711-000-0000-10000</u> | Cash in Bank | 0.00 | |
| <u>711-000-0000-10001</u> | Claim on Cash | 533,063.24 | |
| <u>711-000-0000-10200</u> | GASB 31 Fair Value Adjustment | 0.03 | |
| <u>711-000-0000-11000</u> | Accounts Receivable | 0.00 | |
| <u>711-000-0000-11070</u> | Interest Receivable | 0.00 | |
| | Total Assets: | <u>533,063.27</u> | <u>533,063.27</u> |
| Liability | | | |
| <u>711-000-0000-21000</u> | Accounts Payable | 0.00 | |
| <u>711-000-0000-21002</u> | Accounts Payable Pending | 0.00 | |
| <u>711-000-0000-22000</u> | Accrued Payroll | 0.00 | |
| <u>711-000-0000-29100</u> | Deferred Inflows - Pension | 0.00 | |
| | Total Liability: | <u>0.00</u> | |
| Equity | | | |
| <u>711-000-0000-39500</u> | Fund Balance Unassigned | 13,456.73 | |
| | Total Beginning Equity: | <u>13,456.73</u> | |
| | Total Revenue | 528,035.99 | |
| | Total Expense | <u>8,429.45</u> | |
| | Revenues Over/Under Expenses | <u>519,606.54</u> | |
| | Total Equity and Current Surplus (Deficit): | <u>533,063.27</u> | |
| | Total Liabilities, Equity and Current Surplus (Deficit): | | <u><u>533,063.27</u></u> |

UNAUDITED FINAL ACCOUNTING STATEMENT

ATTACHMENT A

Balance Sheet
 Account Summary
 As Of 12/07/2021



| Account | Name | Balance |
|--|---|--------------------------------|
| Fund: 709 - Successor Agency Debt Service | | |
| Assets | | |
| 709-000-0000-10000 | Cash in Bank | 0.00 |
| 709-000-0000-10001 | Claim on Cash | 0.00 |
| 709-000-0000-10010 | Cash with Fiscal Agent | 0.00 |
| | Total Assets: | <u>0.00</u> <u>0.00</u> |
| Liability | | |
| 709-000-0000-21002 | Accounts Payable Pending | 0.00 |
| 709-000-0000-23000 | Interest Payable | 0.00 |
| 709-000-0000-29100 | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | <u>0.00</u> |
| Equity | | |
| 709-000-0000-39500 | Fund Balance Unassigned | 2,462.28 |
| | Total Beginning Equity: | <u>2,462.28</u> |
| Total Revenue | | 0.00 |
| Total Expense | | <u>2,462.28</u> |
| Revenues Over/Under Expenses | | <u>-2,462.28</u> |
| | Total Equity and Current Surplus (Deficit): | 0.00 |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u><u>0.00</u></u> |

UNAUDITED FINAL ACCOUNTING STATEMENT

ATTACHMENT A

Balance Sheet
Account Summary
 As Of 12/07/2021



| Account | Name | Balance |
|--|---|--------------------|
| Fund: 711 - Successor Agency Retirement Obligation Fund | | |
| Assets | | |
| 711-000-0000-10000 | Cash in Bank | 0.00 |
| 711-000-0000-10001 | Claim on Cash | 0.00 |
| 711-000-0000-10200 | GASB 31 Fair Value Adjustment | 0.00 |
| 711-000-0000-11000 | Accounts Receivable | 0.00 |
| 711-000-0000-11070 | Interest Receivable | 0.00 |
| | Total Assets: | 0.00 |
| | | <u>0.00</u> |
| Liability | | |
| 711-000-0000-21000 | Accounts Payable | 0.00 |
| 711-000-0000-21002 | Accounts Payable Pending | 0.00 |
| 711-000-0000-22000 | Accrued Payroll | 0.00 |
| 711-000-0000-29100 | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | 0.00 |
| Equity | | |
| 711-000-0000-39500 | Fund Balance Unassigned | 13,456.73 |
| | Total Beginning Equity: | 13,456.73 |
| | Total Revenue | 528,035.96 |
| | Total Expense | 541,492.69 |
| | Revenues Over/Under Expenses | -13,456.73 |
| | Total Equity and Current Surplus (Deficit): | 0.00 |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u>0.00</u> |



Craig A. Steele

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F 213.626.0078
E csteele@rwglaw.com

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37th Floor
Los Angeles, CA 90071
rwglaw.com

January 4, 2022

VIA ELECTRONIC MAIL: KATHY.TAVOULARIS@AC.OCGOV.COM

Kathy Tavoularis
Orange County Oversight Board Manager
1770 N. Broadway
Santa Ana, California 92706

Re: City of Seal Beach Successor Agency ROPS

Dear Ms. Tavoularis:

I serve as City Attorney for the City of Seal Beach, and counsel to the Successor Agency to the Seal Beach Redevelopment Agency ("Successor Agency"). Pursuant to your request to Alayna Hoang this letter will confirm that, as of this date, our office is not aware of any pending litigation involving the Successor Agency.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'C. Steele', is written over the typed name.

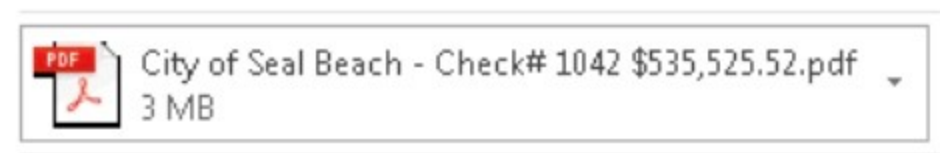
Craig A. Steele
City Attorney
City of Seal Beach

cc: Alayna Hoang, Finance Manager (via email)

S7296-0001\2609509v1.doc

Microsoft Office Ribbon: File, Message, Acrobat, Tell me what you want to do...
Buttons: Ignore, Delete, Reply, Reply All, Forward, Meeting, IM, More, Approved Reso..., To Manager, Done, Create New, Reply & Delete, Move, Rules, OneNote, Actions, Mark Unread, Categorize, Follow Up, Translate, Find, Related, Select, Zoom, Report Phishing, Phish Alert

 Tue 12/14/2021 3:32 PM
Guevara, Israel
Seal Beach SA Dissolution Check
To Tavoularis, Kathy; Chris Nguyen; 'Kelly Telford'
Cc Painter, Yani; Ranftl, Christopher [AC]; Kit Bobko
You forwarded this message on 12/14/2021 4:24 PM.



This email is to confirm that the Auditor-Controller's office is in receipt of Seal Beach SA's check for \$535,525.52 (attached). The amount will be apportioned to affected taxing entities on 12/21/2021.

Please contact me if you have any questions.

Thank you,
Israel M. Guevara
Property Tax Manager
Office: 714-834-3839
1770 N. Broadway, Santa Ana CA 92706
[Website](#) | [Facebook](#) | [Twitter](#)



CITY OF SEAL BEACH

Vendor No.: 000233 - County of Orange

DATE INVOICE # PO #
11/18/2021 W20904/1

DESCRIPTION
SA Dissolution-Distribution of Remaining Assets

1042
12/07/2021
AMOUNT
535,525.52

CHECK TOTAL 535,525.52

DO NOT ACCEPT UNLESS THIS CHECK IS PRINTED WITH A PRISMATIC BACKGROUND, CONTAINS A VOID PANTOGRAPH, MICROPRINTING FACE AND BACK, UV FIBERS AND A WATERMARK ON THE REVERSE SIDE

CITY OF SEAL BEACH

211 8TH ST
SEAL BEACH, CA 90740

Bank of the West
13300 Crossroads Parkway
City of Industry, CA 91746

Check #: 1042

CHECK DATE

12/07/2021

PAY THIS AMOUNT

\$535,525.52

PAY ---Five Hundred Thirty Five Thousand Five Hundred Twenty Five Dollars and 52/100 Cents---

VOID AFTER 180 DAYS

COUNTY OF ORANGE

TO THE
ORDER
OF Auditor-Controller
1770 N Broadway
Santa ana, CA 92706-

Kelly Tate
Jill R. Ingram

UNAUDITED FINAL ACCOUNTING STATEMENT

ATTACHMENT A
As Of 11/18/2021

Balance Sheet

| Account | Name | Balance |
|--|---|-----------------|
| Fund: 709 - Successor Agency Debt Service | | |
| Assets | | |
| <u>709-000-0000-10000</u> | Cash in Bank | 0.00 |
| <u>709-000-0000-10001</u> | Claim on Cash | 2,462.28 |
| <u>709-000-0000-10010</u> | Cash with Fiscal Agent | 0.00 |
| | Total Assets: | <u>2,462.28</u> |
| | | <u>2,462.28</u> |
| Liability | | |
| <u>709-000-0000-21002</u> | Accounts Payable Pending | 0.00 |
| <u>709-000-0000-23000</u> | Interest Payable | 0.00 |
| <u>709-000-0000-29100</u> | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | <u>0.00</u> |
| Equity | | |
| <u>709-000-0000-39500</u> | Fund Balance Unassigned | 2,462.28 |
| | Total Beginning Equity: | <u>2,462.28</u> |
| | Total Revenue | 0.00 |
| | Total Expense | <u>0.00</u> |
| | Revenues Over/Under Expenses | 0.00 |
| | Total Equity and Current Surplus (Deficit): | <u>2,462.28</u> |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u>2,462.28</u> |

Before AP
check to
County

AUDITOR-CONTROLLER

DEC 13 2021

UNAUDITED FINAL ACCOUNTING STATEMENT

ATTACHMENT A
As Of 11/18/2021

Balance Sheet

| Account | Name | Balance |
|--|---|--|
| Fund: 711 - Successor Agency Retirement Obligation Fund | | |
| Assets | | |
| <u>711-000-0000-10000</u> | Cash in Bank | 0.00 |
| <u>711-000-0000-10001</u> | Claim on Cash | 533,063.24 |
| <u>711-000-0000-10200</u> | GASB 31 Fair Value Adjustment | 0.03 |
| <u>711-000-0000-11000</u> | Accounts Receivable | 0.00 |
| <u>711-000-0000-11070</u> | Interest Receivable | 0.00 |
| | Total Assets: | <u>533,063.27</u> <u><u>533,063.27</u></u> |
| Liability | | |
| <u>711-000-0000-21000</u> | Accounts Payable | 0.00 |
| <u>711-000-0000-21002</u> | Accounts Payable Pending | 0.00 |
| <u>711-000-0000-22000</u> | Accrued Payroll | 0.00 |
| <u>711-000-0000-29100</u> | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | <u>0.00</u> |
| Equity | | |
| <u>711-000-0000-39500</u> | Fund Balance Unassigned | 13,456.73 |
| | Total Beginning Equity: | <u>13,456.73</u> |
| | Total Revenue | 528,035.99 |
| | Total Expense | <u>8,429.45</u> |
| | Revenues Over/Under Expenses | <u>519,606.54</u> |
| | Total Equity and Current Surplus (Deficit): | 533,063.27 |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u><u>533,063.27</u></u> |

UNAUDITED FINAL ACCOUNTING STATEMENT

ATTACHMENT A

Balance Sheet

Account Summary

As Of 12/07/2021



After AP
check to
county.

| Account | Name | Balance |
|--|---|-------------------------|
| Fund: 709 - Successor Agency Debt Service | | |
| Assets | | |
| 709-000-0000-10000 | Cash in Bank | 0.00 |
| 709-000-0000-10001 | Claim on Cash | 0.00 |
| 709-000-0000-10010 | Cash with Fiscal Agent | 0.00 |
| | Total Assets: | <u>0.00</u> <u>0.00</u> |
| Liability | | |
| 709-000-0000-21002 | Accounts Payable Pending | 0.00 |
| 709-000-0000-23000 | Interest Payable | 0.00 |
| 709-000-0000-29100 | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | <u>0.00</u> |
| Equity | | |
| 709-000-0000-39500 | Fund Balance Unassigned | 2,462.28 |
| | Total Beginning Equity: | <u>2,462.28</u> |
| Total Revenue | | 0.00 |
| Total Expense | | <u>2,462.28</u> |
| Revenues Over/Under Expenses | | <u>-2,462.28</u> |
| | Total Equity and Current Surplus (Deficit): | <u>0.00</u> |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u>0.00</u> |

UNAUDITED FINAL ACCOUNTING STATEMENT

ATTACHMENT A
Balance Sheet
 Account Summary
 As Of 12/07/2021



| Account | Name | Balance |
|--|---|--------------------|
| Fund: 711 - Successor Agency Retirement Obligation Fund | | |
| Assets | | |
| 711-000-0000-10000 | Cash in Bank | 0.00 |
| 711-000-0000-10001 | Claim on Cash | 0.00 |
| 711-000-0000-10200 | GASB 31 Fair Value Adjustment | 0.00 |
| 711-000-0000-11000 | Accounts Receivable | 0.00 |
| 711-000-0000-11070 | Interest Receivable | 0.00 |
| | Total Assets: | 0.00 |
| | | <u>0.00</u> |
| Liability | | |
| 711-000-0000-21000 | Accounts Payable | 0.00 |
| 711-000-0000-21002 | Accounts Payable Pending | 0.00 |
| 711-000-0000-22000 | Accrued Payroll | 0.00 |
| 711-000-0000-29100 | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | 0.00 |
| Equity | | |
| 711-000-0000-39500 | Fund Balance Unassigned | 13,456.73 |
| | Total Beginning Equity: | 13,456.73 |
| Total Revenue | | 528,035.96 |
| Total Expense | | 541,492.69 |
| Revenues Over/Under Expenses | | -13,456.73 |
| | Total Equity and Current Surplus (Deficit): | 0.00 |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u>0.00</u> |

RESOLUTION NUMBER SAXX XX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT AGENCY DIRECTING THE NOTIFICATION TO THE OVERSIGHT BOARD REGARDING THE DISPOSITION OF ASSETS IN CONNECTION WITH THE SUCCESSOR AGENCY'S DISSOLUTION, DIRECTING DISSOLUTION UPON THE OVERSIGHT BOARD'S ADOPTION OF THE FINAL RESOLUTION, MAKING A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TAKING RELATED ACTIONS

RECITALS:

A. Pursuant to AB X1 26 (enacted in June 2011) and the *California Supreme Court's decision in California Redevelopment Association, et al. v. Ana Matosantos, et al., 53 Cal. 4th 231 (2011)*, the Redevelopment Agency of the City of Seal Beach (the "Former Agency") was dissolved as of February 1, 2012, and the Successor Agency to the Seal Beach Redevelopment Agency (the "Successor Agency") was constituted.

B. Pursuant to Section 34179(j) of the California Health and Safety Code ("HSC"), from and after July 1, 2018, the Orange Countywide Oversight Board (the "Oversight Board") is the oversight board for the Successor Agency.

C. The Successor Agency is tasked with winding down the Former Agency's affairs.

D. Pursuant to HSC Section 34187(b), the Successor Agency shall submit to the Oversight Board a request, with a copy to the Orange County Auditor-Controller (the "County Auditor-Controller"), to formally dissolve the Successor Agency within 30 days of meeting the following criteria (collectively, the "Dissolution Criteria"):

- (i) all enforceable obligations have been retired or paid off,
- (ii) all real property has been disposed of pursuant to HSC Section 34181 or 34191.4, and
- (iii) all outstanding litigation has been resolved.

E. This Board of Directors (the "Board"), having determined that the Successor Agency has met the Dissolution Criteria, adopted Resolution No. SA 21-02, on September 27, 2021 (the "SA Request Resolution"), to request the Oversight Board to approve the Successor Agency's formal dissolution.

F. Copies of the SA Request Resolution were submitted to the Oversight Board and the County Auditor-Controller pursuant to HSC Section 34187(b).

G. The Oversight Board adopted its Resolution No. 21-027, on October 12, 2021 (the "OB Approving Resolution"), approving the Successor Agency's request to formally dissolve.

H. Pursuant to HSC Section 34187(b), the OB Approval Resolution (with a copy of the SA Request Resolution attached as Exhibit A thereto) was submitted to the California State Department of Finance (the "DOF") for approval.

I. The DOF issued its letter, dated November 17, 2021 (the "DOF Approval"), approving the OB Approval Resolution.

J. Pursuant to HSC Section 34187(e), within 100 days after the issuance of the DOF Approval, the Successor Agency shall dispose of all remaining assets as directed by the Oversight Board and the proceeds of such disposition shall be transferred to the County Auditor-Controller (the "Final Transfer").

K. The Final Transfer was accomplished by the transfer of the Released Bond Funds (as defined in the SA Request Resolution) and remaining unspent administration funds, in the amount of \$535,525.55 to the County Auditor-Controller on December 6, 2021.

L. Pursuant to HSC Section 34187(e)(2), the Successor Agency shall send a notification (the "Notification") to the Oversight Board after completing the Final Transfer.

M. Pursuant to HSC Section 34187(f), upon receipt of the Notification, the Oversight Board shall: (i) verify all of the Successor Agency's obligations have been retired or paid off, all outstanding litigation has been resolved, and all remaining assets have been disposed of with any proceeds remitted to the County Auditor-Controller for distribution to the affected taxing entities; and (ii) within 14 days of verification, adopt a final resolution (the "OB Final Resolution") of dissolution for the Successor Agency, which shall be effective immediately.

N. Attached in Attachment A is the unaudited final accounting of the Successor Agency funds, as of December 7, 2021 (the "Unaudited Final Accounting Statement"), showing that the Successor Agency has no outstanding assets or obligations.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE SEAL BEACH REDEVELOPMENT AGENCY, HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

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

Section 2. The Board hereby finds, determines and affirms that:

- (i) all Successor Agency's obligations have been retired or paid off,
- (ii) there is no outstanding litigation to which the Successor Agency is a party, and
- (iii) all of the Successor Agency's assets have been disposed of with any proceeds thereof remitted to the County Auditor-Controller.

Section 3. The Agency Clerk is hereby directed to cause a copy of this Resolution to be submitted to the Oversight Board. This Resolution shall serve as the Notification for the purposes of HSC Section 34187(e)(2).

Section 4. The Oversight Board is hereby requested to adopt the OB Final Resolution to formally dissolve the Successor Agency.

Section 5. It is hereby declared and directed that the Successor Agency shall be dissolved upon the Oversight Board's adoption of the OB Final Resolution, without any further action on the Board's part.

Section 6. The Board hereby finds and determines that the dissolution of the Successor Agency shall constitute a change in the organization or reorganization of local governmental agencies that does not alter the geographic areas within which the powers are exercised for the purposes of the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*). Therefore, such dissolution shall be exempt from environmental review, pursuant to Section 15320 of Title 14 of the California Code of Regulations. In addition, it can be seen with certainty that such request and the dissolution of the Successor Agency will not have a significant effect on the environment. Therefore, such request and dissolution shall be exempt from environmental review, pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Section 7. The officers and the other Staff members of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things, including the execution of any instruments, which they may deem necessary or advisable to effectuate this Resolution and any such actions previously taken are hereby ratified and confirmed.

PASSED, APPROVED and ADOPTED by the Board of Directors of the Successor Agency to the Seal Beach Redevelopment Agency at a regular meeting held on the ____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair

ATTEST:

Secretary

ATTACHMENT A

Unaudited Final Accounting Statement

(attached)

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS
CITY OF SEAL BEACH }

I, _____, Secretary of the Successor Agency to the Seal Beach Redevelopment Agency, do hereby certify that the foregoing resolution is the original copy of Resolution Number SAXX-XX on file in the office of the City Clerk of the City of Seal Beach, passed, approved, and adopted by the Successor Agency to the Seal Beach Redevelopment Agency at a regular meeting held on the ____ day of _____, 2021.

UNAUDITED FINAL ACCOUNTING STATEMENT

ATTACHMENT A
As Of 11/18/2021

Balance Sheet

| Account | Name | Balance |
|--|---|--|
| Fund: 709 - Successor Agency Debt Service | | |
| Assets | | |
| <u>709-000-0000-10000</u> | Cash in Bank | 0.00 |
| <u>709-000-0000-10001</u> | Claim on Cash | 2,462.28 |
| <u>709-000-0000-10010</u> | Cash with Fiscal Agent | 0.00 |
| | Total Assets: | <u>2,462.28</u> <u>2,462.28</u> |
| Liability | | |
| <u>709-000-0000-21002</u> | Accounts Payable Pending | 0.00 |
| <u>709-000-0000-23000</u> | Interest Payable | 0.00 |
| <u>709-000-0000-29100</u> | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | <u>0.00</u> |
| Equity | | |
| <u>709-000-0000-39500</u> | Fund Balance Unassigned | 2,462.28 |
| | Total Beginning Equity: | <u>2,462.28</u> |
| Total Revenue | | 0.00 |
| Total Expense | | 0.00 |
| Revenues Over/Under Expenses | | <u>0.00</u> |
| | Total Equity and Current Surplus (Deficit): | 2,462.28 |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u>2,462.28</u> |

UNAUDITED FINAL ACCOUNTING STATEMENT

ATTACHMENT A
As Of 11/18/2021

Balance Sheet

| Account | Name | Balance |
|--|---|--------------------------|
| Fund: 711 - Successor Agency Retirement Obligation Fund | | |
| Assets | | |
| <u>711-000-0000-10000</u> | Cash in Bank | 0.00 |
| <u>711-000-0000-10001</u> | Claim on Cash | 533,063.24 |
| <u>711-000-0000-10200</u> | GASB 31 Fair Value Adjustment | 0.03 |
| <u>711-000-0000-11000</u> | Accounts Receivable | 0.00 |
| <u>711-000-0000-11070</u> | Interest Receivable | 0.00 |
| | Total Assets: | <u>533,063.27</u> |
| | | <u>533,063.27</u> |
| Liability | | |
| <u>711-000-0000-21000</u> | Accounts Payable | 0.00 |
| <u>711-000-0000-21002</u> | Accounts Payable Pending | 0.00 |
| <u>711-000-0000-22000</u> | Accrued Payroll | 0.00 |
| <u>711-000-0000-29100</u> | Deferred Inflows - Pension | 0.00 |
| | Total Liability: | <u>0.00</u> |
| Equity | | |
| <u>711-000-0000-39500</u> | Fund Balance Unassigned | 13,456.73 |
| | Total Beginning Equity: | <u>13,456.73</u> |
| Total Revenue | | 528,035.99 |
| Total Expense | | <u>8,429.45</u> |
| Revenues Over/Under Expenses | | 519,606.54 |
| | Total Equity and Current Surplus (Deficit): | <u>533,063.27</u> |
| | Total Liabilities, Equity and Current Surplus (Deficit): | <u>533,063.27</u> |



Gavin Newsom ■ Governor

915 L Street ■ Sacramento CA ■ 95814-3706 ■ www.dof.ca.gov

Transmitted via e-mail

November 17, 2021

Kelly Telford, Director of Finance/City Treasurer
City of Seal Beach
211 8th Street
Seal Beach, CA 90740-6379

Approval of Redevelopment Successor Agency Dissolution

The City of Seal Beach Successor Agency (Agency) notified the California Department of Finance (Finance) of its October 12, 2021 Oversight Board (OB) resolution on October 18, 2021 requesting to dissolve the Agency. Pursuant to Health and Safety Code (HSC) section 34187 (d), Finance has completed its review of the OB action.

Based on our review and application of the law, OB Resolution 21-027 approving the dissolution of the Agency, is approved. It is our understanding the Agency has met the conditions per HSC section 34187 (b) as follows:

- All enforceable obligations identified in the Recognized Obligation Payment Schedule have been retired or paid off.
- All real property has been disposed pursuant to HSC section 34181 or 34191.4.
- All outstanding litigation has been resolved.

Pursuant to HSC section 34187 (e), within 100 days upon receipt of this letter, the Agency shall dispose of any remaining assets as directed by the OB and proceeds from asset dispositions are to be transferred to the County-Auditor Controller. In addition, the Agency is to notify the OB of its compliance related to any remaining assets. Upon notification of Agency's compliance, and within 14 days of verification, the OB shall submit to Finance a final resolution of the Agency's dissolution which shall be effective immediately.

This is our determination with respect to the OB action taken.

Kelly Telford
November 17, 2021
Page 2

Please direct inquiries to Joshua Mortimer, Supervisor, or Michael Barr, Staff, at
(916) 322-2985.

Sincerely,



JENNIFER WHITAKER
Program Budget Manager

cc: Alayna Hoang, Finance Manager, City of Seal Beach
Wendy Tsui, Administrative Manager I, Property Tax Unit, Orange County

City of Seal Beach



CITY HALL 211 EIGHTH STREET
SEAL BEACH, CALIFORNIA 90740
(562) 431-2527 • www.sealbeachca.gov

December 1, 2021

California State Board of Equalization
PO Box 942879
Sacramento, CA 94279-0063

To Whom It May Concern,

This letter is to service as notification that the Successor Agency to the Seal Beach Redevelopment Agency has received approval from the Orange Countywide Oversight Board and the California Department of Finance to dissolve. The final payment of funds on hand will be released to the County of Orange and the remaining dissolution items are anticipated to be completed in early 2022. If you have any questions or require additional information, please contact me at (562) 431-2527, extension 1311 or via email at ktelford@sealbeachca.gov.

Sincerely,

Kelly A. Telford, CPA
Director of Finance/Treasurer