

# Orange Countywide Oversight Board

Agenda Item No. 6a

Date: 1/24/2023

From: Successor Agency to the Anaheim Redevelopment Agency

Subject: Resolution of the Countywide Oversight Board Approving Annual Recognized Obligation Payment Schedule (ROPS) and Administrative Budget

Recommended Action:

Approve resolution approving FY 2023-2024 ROPS and Administrative Budget for the Anaheim Successor Agency

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The Anaheim Successor Agency (ASA) requests approval of the Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for Fiscal Year 2023-2024.

The FY 23-24 ROPS is continuing to request RPTTF funds to pay an obligation in the amount of \$3,947,509, the purpose of which was to provide funding for the Avon/Dakota revitalization project (Lines 114,115, 116, 117). The Avon/Dakota obligations were determined to be enforceable obligations by the California Court of Appeal pursuant to its Opinion on Rehearing dated December 19, 2017 in Case No. C081918 (Super. Ct. No. 34201380001529CUWMGDS). The Avon-Dakota payment will be incurred periodically and included on each annual ROPS until the total amount is paid for costs previously incurred and future costs to be incurred.

Other items on the FY 23-24 ROPS unrelated to the litigation include an enforceable obligation payable to Savi Ranch Associates. The note is payable from net property tax increment as defined in the Redevelopment Agency note. If there is insufficient RPTTF revenue to pay for principal and interest at the termination of the River Valley project area plan in November 2031, the note ceases to be an obligation of the Successor Agency.

An additional \$11,824,750 (Line 193) is requested for debt service on Refunded 2007 Tax Allocation Bonds Series A & C.

In June 2003, the former Redevelopment Agency acquired property located at 2951 West Lincoln Ave. as part of a redevelopment project named Westgate. Approximately 11 acres of the property were formerly known as the Sparks and Rains Landfills. Line item 151 & 195 in the ROPS are for ongoing environmental insurance requirements and pollution remediation costs prior to the development of a shopping center in order to satisfy the terms of the Settlement Agreement between the Agency and the County of Orange, as well as obligations imposed by various regulatory entities holding jurisdiction over the former landfills.

In April 2001, the Agency entered into an agreement with Katella Operating Properties, LLC to sublicense/sublease an 8.9 acre Southern California Edison easement located between Anaheim Blvd. and Claudina Way. The Agency gained long-term control of the property as part of its overall efforts to redevelop the area for hotel or commercial development. The term of the agreement extends to February 28, 2043 (Line 70). In June 2003, the Agency entered into a Ground Lease agreement with Leedy Ying and Tina Ying Trust for the Shoe City property (Line 71) for the redevelopment of the corner of Anaheim Blvd. and Ball Rd. The lease term is 35 years, with two 10 year extension options.

Finally, the ROPS reflects the Successor Agency's request for approval from DOF to have the ability to spend the reserve amount of \$302,361 for environmental remediation projects granted from an EPA grant (Line 187). No RPTTF funds are requested or used for this line item.

In addition, the Anaheim Successor Agency requests approval of the Administrative Budget in the amount of \$470,000.

Impact on Taxing Entities

The proposed ROPS 23-24 A-B requests a total of \$31,970,841 in RPTTF.

Staff Contact(s)

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Attachments

1. Resolution
2. ROPS FY 23-24
3. Administrative Budget

**RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD  
RESOLUTION NO. 23010**

A RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD WITH  
OVERSIGHT OF THE SUCCESSOR AGENCY TO THE ANAHEIM REDEVELOPMENT  
AGENCY *APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE [ROPS]*  
FY 2023-24 A-B FOR THE ANNUAL FISCAL PERIOD OF JULY 1, 2023 TO JUNE 30,  
2024, INCLUDING THE FY23-24 ADMINISTRATIVE BUDGET, SUBJECT TO  
SUBMITTAL TO, AND REVIEW BY THE STATE DEPARTMENT OF FINANCE [DOF]  
PURSUANT TO DISSOLUTION LAW, AND AUTHORIZING POSTING AND  
TRANSMITTAL THEREOF

**WHEREAS**, the Anaheim Redevelopment Agency (“Former Agency”) was established as 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, all subject to the review and approval by a seven-member oversight board; and

**WHEREAS**, pursuant to Health and Safety Code Section 34179(j) on July 1, 2018 the Orange Countywide Oversight Board (“Oversight Board”) has jurisdiction over the 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 Orange Countywide Oversight Board final review and approval by the State Department of Finance (“DOF”); and

**WHEREAS**, Section 34177(l) and 34177(o) of the Dissolution Law requires that the annual ROPS for the FY23-24 A-B fiscal period of July 1, 2023 to June 30, 2024 (“ROPS 23-24 A-B”) shall be submitted to the DOF by the Successor Agency, after approval by the Orange Countywide Oversight Board, no later than February 1, 2023; and

**WHEREAS**, the ROPS 2023-2024, in the form required by DOF, is attached as Exhibit A and the Fiscal Year (“FY”) 2023-2024 Administrative Budget is attached as Exhibit B, and both attachments are fully incorporated by this reference; and

**WHEREAS**, the Orange Countywide Oversight Board has reviewed and considered the Successor Agency’s ROPS 2023-2024 A-B and desires to approve it and authorize and direct the Successor Agency staff to transmit the ROPS 23-24 A-B to the DOF, with copies to the County Executive Officer (“CEO”), County Auditor-Controller (“CAC”), and the State Controller’s Office (“SCO”) as required under 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 approves ROPS 2023-2024 A-B submitted therewith and incorporated by this reference, including the FY 2023-2024 administrative budget included herewith.

**SECTION 3.** The Orange Countywide Oversight Board authorizes transmittal of the ROPS 23-24 A-B to the DOF, with copies to the CEO, the CAC, and the SCO.

**SECTION 4.** The City of Anaheim’s [Finance Director/Treasurer] or authorized designee is directed to post this Resolution, including the ROPS 23-24 A-B, on the City/Successor Agency website pursuant to the Dissolution Law.

**SECTION 5.** 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 6.** The Clerk of the Board shall certify to the adoption of this Resolution.

**Recognized Obligation Payment Schedule (ROPS 23-24) - Summary  
Filed for the July 1, 2023 through June 30, 2024 Period**

**Successor Agency:** Anaheim

**County:** Orange

<b>Current Period Requested Funding for Enforceable Obligations (ROPS Detail)</b>	<b>23-24A Total (July - December)</b>	<b>23-24B Total (January - June)</b>	<b>ROPS 23-24 Total</b>
<b>A Enforceable Obligations Funded as Follows (B+C+D)</b>	<b>\$ 3,123,813</b>	<b>\$ -</b>	<b>\$ 3,123,813</b>
B Bond Proceeds	32,708	-	32,708
C Reserve Balance	-	-	-
D Other Funds	3,091,105	-	3,091,105
<b>E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)</b>	<b>\$ 12,234,938</b>	<b>\$ 16,612,090</b>	<b>\$ 28,847,028</b>
F RPTTF	11,999,938	16,377,090	28,377,028
G Administrative RPTTF	235,000	235,000	470,000
<b>H Current Period Enforceable Obligations (A+E)</b>	<b>\$ 15,358,751</b>	<b>\$ 16,612,090</b>	<b>\$ 31,970,841</b>

**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**  
**Recognized Obligation Payment Schedule (ROPS 23-24) - ROPS Detail**  
**July 1, 2023 through June 30, 2024**

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 23-24 Total	ROPS 23-24A (Jul - Dec)					23-24A Total	ROPS 23-24B (Jan - Jun)					23-24B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
								\$198,258,264		\$31,970,841	\$32,708	\$-	\$3,091,105	\$11,999,938	\$235,000	\$15,358,751	\$-	\$-	\$-	\$16,377,090	\$235,000	\$16,612,090
50	Tax Allocation Refunding Bonds	Bonds Issued On or Before 12/31/10	12/01/2007	02/01/2031	U.S. Bank	DEBT: Debt service on Series B & D	Merged	40,826,130	N	\$3,848,270	32,708	-	3,091,105	724,457	-	\$3,848,270	-	-	-	-	-	\$-
54	Fiscal agent/ arbitration svcs	Fees	02/25/2010	02/01/2031	Per Bond Docs	DEBT: Fiscal agent/arbitrage services	Merged	494,802	N	\$20,000	-	-	-	6,000	-	\$6,000	-	-	-	14,000	-	\$14,000
56	HUD 108 Loan-Capital Projects	CDBG/HUD Repayment to City/County	02/25/2010	08/01/2030	The Bank of NY Mellon	DEBT: Packing House Restoration	Merged	3,432,223	N	\$480,552	-	-	-	425,727	-	\$425,727	-	-	-	54,825	-	\$54,825
58	HUD 108 Loan-Westgate	CDBG/HUD Repayment to City/County	08/07/2003	08/01/2023	The Bank of NY Mellon	DEBT: Anaheim Westgate Project	Merged	751,790	N	\$751,790	-	-	-	-	-	\$-	-	-	-	751,790	-	\$751,790
63	External Project Costs	Professional Services	08/07/2003	02/01/2031	Consultants/ Other	DEBT: Services/Hard & Soft Costs/ Fees	Merged	439,998	N	\$23,000	-	-	-	3,000	-	\$3,000	-	-	-	20,000	-	\$20,000
66	River Valley Redev. Proj. Area	OPA/DDA/ Construction	06/30/1987	11/29/2041	Savi Ranch Valley Irrig. Co.	CONTRACTS: Note Payable	Merged	2,897,846	N	\$516,934	-	-	-	516,934	-	\$516,934	-	-	-	-	-	\$-
68	Anaheim Westgate Center Proj.	Miscellaneous	02/01/2003	02/01/2058	Annie (Loan) Pham	CONTRACTS: Ground lease agreement	Merged	5,851,589	N	\$114,347	-	-	-	-	-	\$-	-	-	-	114,347	-	\$114,347
70	8.9-acre SoCal Edison	Miscellaneous	04/30/2001	02/28/2043	Katella Operating Property II, LLC	CONTRACTS: Sublease/ sublicense easement agr.	Merged	13,930,459	N	\$586,267	-	-	-	285,288	-	\$285,288	-	-	-	300,979	-	\$300,979
71	Shoe City lease	Miscellaneous	06/01/2003	06/30/2058	Leedy Ying Trust	CONTRACTS: Lease	Merged	1,646,267	N	\$40,476	-	-	-	20,238	-	\$20,238	-	-	-	20,238	-	\$20,238
75	External Project Costs	Professional Services	07/01/2010	06/30/2058	Consultants/ Other	CONTRACTS: Services/Hard & Soft Costs/ Fees	Merged	504,466	N	\$7,200	-	-	-	3,600	-	\$3,600	-	-	-	3,600	-	\$3,600
103	External Project Costs	Professional Services	03/12/2008	06/30/2017	Consultants/ Other	WESTGATE: Services/Hard & Soft Costs/ Fees	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
114	Avon Dakota Revitalization	Miscellaneous	06/01/2010	12/31/2075	Related	AVON DAKOTA: Property acquisition & development	Merged	3,084,533	N	\$3,084,533	-	-	-	1,542,266	-	\$1,542,266	-	-	-	1,542,267	-	\$1,542,267
115	Avon Dakota Revitalization	Miscellaneous	06/01/2010	12/31/2075	TBD	AVON DAKOTA:	Merged	647,976	N	\$647,976	-	-	-	323,988	-	\$323,988	-	-	-	323,988	-	\$323,988

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 23-24 Total	ROPS 23-24A (Jul - Dec)					23-24A Total	ROPS 23-24B (Jan - Jun)					23-24B Total	
											Fund Sources						Fund Sources						
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		
						Relocation Costs																	
116	Project Management	Project Management Costs	06/01/2010	06/30/2020	Staff	AVON DAKOTA: Project Support	Merged	65,000	N	\$65,000	-	-	-	32,500	-	\$32,500	-	-	-	32,500	-	\$32,500	
117	External Project Costs	Professional Services	06/01/2010	06/30/2020	Consultants/Other	AVON DAKOTA: Services/Hard & Soft Costs/ Fees	Merged	150,000	N	\$150,000	-	-	-	75,000	-	\$75,000	-	-	-	75,000	-	\$75,000	
135	Administrative Cost Allowance	Admin Costs	01/01/2014	12/31/1941	City of Anaheim	ADMIN: Pursuant to AB26 (3% of RPTTF)	Merged	470,000	N	\$470,000	-	-	-	-	235,000	\$235,000	-	-	-	-	235,000	\$235,000	
151	Westgate Remediation (Previous ROPS Line 100)	Remediation	03/12/2008	12/31/2044	Various	Westgate: Settlement Agreement/ Reimbursement	Merged	15,255,426	N	\$8,997,385	-	-	-	5,722,385	-	\$5,722,385	-	-	-	3,275,000	-	\$3,275,000	
187	Domain Project Area Remediation	Remediation	06/22/2012	06/30/2020	Various	EPA Revolving Loan Funds to Use for Allowable Fund Remediation Expenses	Merged	302,361	N	\$302,361	-	-	-	151,180	-	\$151,180	-	-	-	151,181	-	\$151,181	
191	Insurance for Westgate LandFill (Related to Line 151)	Remediation	07/01/2017	06/30/2028	Beazley ENVIRO CPL Insurance	Westgate: Settlement Agreement/ Reimbursement	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
193	2018 Refunding Bonds Series A	Bonds Issued On or Before 12/31/10	01/04/2018	02/01/2031	U.S. Bank	DEBT: Debt service on Refunded 2007 Tax Allocation Bonds Series A & C	Merged	107,082,000	N	\$11,824,750	-	-	-	2,147,375	-	\$2,147,375	-	-	-	9,677,375	-	\$9,677,375	
195	Westgate Remediation - Water Control Board	Remediation	07/27/2017	12/31/2044	Santa Ana Regional Water Quality Control Board	Westgate: Settlement Agreement/ Reimbursement	Merged	425,398	N	\$40,000	-	-	-	20,000	-	\$20,000	-	-	-	20,000	-	\$20,000	

**Anaheim**  
**Recognized Obligation Payment Schedule (ROPS 23-24) - Report of Cash Balances**  
**July 1, 2020 through June 30, 2021**  
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.							
A	B	C	D	E	F	G	H
		<b>Fund Sources</b>					
		<b>Bond Proceeds</b>		<b>Reserve Balance</b>	<b>Other Funds</b>	<b>RPTTF</b>	
	<b>ROPS 20-21 Cash Balances (07/01/20 - 06/30/21)</b>	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	<b>Comments</b>
1	<b>Beginning Available Cash Balance (Actual 07/01/20)</b> RPTTF amount should exclude "A" period distribution amount.	3,117,277		8,512,355	17,281,540	167,801	
2	<b>Revenue/Income (Actual 06/30/21)</b> RPTTF amount should tie to the ROPS 20-21 total distribution from the County Auditor-Controller	32,708		-	742,151	14,411,543	
3	<b>Expenditures for ROPS 20-21 Enforceable Obligations (Actual 06/30/21)</b>	76,460		4,705,791	12,601,554	9,491,852	
4	<b>Retention of Available Cash Balance (Actual 06/30/21)</b> RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	3,040,816		3,806,564	2,028,671		
5	<b>ROPS 20-21 RPTTF Prior Period Adjustment</b> RPTTF amount should tie to the Agency's ROPS 20-21 PPA form submitted to the CAC		No entry required			5,087,492	
6	<b>Ending Actual Available Cash Balance (06/30/21)</b> <b>C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)</b>	<b>\$32,709</b>	<b>\$-</b>	<b>\$-</b>	<b>\$3,393,466</b>	<b>\$-</b>	



**Anaheim**  
**Recognized Obligation Payment Schedule (ROPS 23-24) - Notes**  
**July 1, 2023 through June 30, 2024**

Item #	Notes/Comments
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**ANAHEIM SUCCESSOR AGENCY  
23/24 ADMINISTRATIVE BUDGET**

LABOR	\$	328,000
LEGAL		15,000
CITY OVERHEAD CHARGES		70,000
RENTS/OFFICE EQUIPMENT/SUPPLIES		33,000
DOCUMENT OFFSITE STORAGE		4,000
AUDIT FEES		4,500
SHIPPING/MAILING		500
INSURANCE		5,000
ADMINISTRATIVE COSTS - WESTGATE PROJECT		10,000
<b>TOTAL PROJECTED FY 23/24 BUDGET</b>	<b>\$</b>	<b>470,000</b>