

# Orange Countywide Oversight Board

Agenda Item No. 4a

Date: April 29, 2025

From: Successor Agency to the San Clemente Redevelopment Agency

Subject: Resolution of the Orange Countywide Oversight Board in the Matter of Approving the Request of the Successor Agency to the San Clemente Redevelopment Agency to Formally Dissolve and Taking Related Actions

## **Recommended Action:**

Adopt resolution to approve the request by the Successor Agency to the San Clemente Redevelopment Agency (the “Successor Agency”) to formally dissolve and taking related actions.

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The Successor Agency’s Board of Directors (the “SA Board”) adopted its Resolution No. SA 25-01, on April 1, 2025, to request the Countywide Oversight Board to approve the formal dissolution of the Successor Agency.

Pursuant to Health and Safety Code (“HSC”) Section 34187(b), the Successor Agency must 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.

The SA Board has made a determination that the Successor Agency has met all of the Dissolution Criteria.

Pursuant to HSC Section 34187(b), the Countywide Oversight Board must take action within 30 days to approve the Successor Agency’s request to dissolve and then submit the request to the State Department of Finance (the “DOF”). The DOF will have 30 days to approve or deny the request.

If the DOF approves the request, the Successor Agency must take the following steps within 100 days of the DOF’s approval:

- (1) dispose of all remaining assets and transfer any proceeds to the County Auditor-Controller for distribution to the affected taxing entities, and

## **Orange Countywide Oversight Board**

- (2) notify the Countywide Oversight Board that it has complied with such disposition and transfer of proceeds.

The Successor Agency reports that it has disposed of all real property, it has no remaining enforceable obligations, and is not the subject of any pending litigation. The Successor Agency reports that its remaining assets after payment of all obligations listed on final ROPS is \$14,950.76. This amount will be paid to the County of Orange in connection with the dissolution process. Pursuant to the attached Resolution, the Countywide Oversight Board will direct the Successor Agency to transfer the remaining funds to the County Auditor-Controller following the DOF's approval of the dissolution request.

Pursuant to HSC Section 34187(f), upon receipt of notification from the Successor Agency that such transfer has been completed, 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.

### Impact on Taxing Entities:

After the DOF's approval of the Successor Agency's request to dissolve, the Successor Agency will transmit the remaining funds to the County Auditor-Controller. The County Auditor-Controller will disburse such moneys to the 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 San Clemente will cease and no further property tax will be allocated to the Successor Agency's Redevelopment Property Tax Trust Fund.

### Staff Contact(s):

Brian Brower, City of San Clemente Director of Administrative Services

### Attachments:

Attachment 1 -- Proposed Oversight Board Resolution (with Successor Agency Board Resolution No. SA 25-01, as Exhibit A).

## RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD

### RESOLUTION NO. 25-013

#### *IN THE MATTER OF APPROVING THE REQUEST OF THE SUCCESSOR AGENCY TO THE SAN CLEMENTE REDEVELOPMENT AGENCY TO FORMALLY DISSOLVE 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 San Clemente (the "**Former Agency**") was dissolved as of February 1, 2012, and the Successor Agency to the San Clemente 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 Board of Directors of the Successor Agency (the "**SA Board**") adopted its Resolution No. SA 25-01, on April 1, 2025 (the "**SA Resolution**"), and a copy of the SA Resolution is set forth in Exhibit A; and

**WHEREAS**, the SA Board found and determined that the Successor Agency has met the all of the Dissolution Criteria and requested the Countywide Oversight Board to approve the Successor Agency's formal dissolution; and

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

**WHEREAS**, pursuant to HSC Section 34187(e), after the DOF's approval of the Successor Agency's request to dissolve, the Successor Agency shall dispose of all remaining assets as directed by the Countywide Oversight Board and transfer the proceeds of such disposition to the County Auditor-Controller (the "**Final Transfer**"); and

**WHEREAS**, the Successor Agency has represented in the SA Resolution that the Successor Agency's remaining assets consist only of residual funds in the amount of \$14,950.76; and

**WHEREAS**, the Successor Agency shall transfer the residual funds to the County Auditor-Controller for the Final Transfer;

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 approves the Successor Agency's request to formally dissolve.

**SECTION 3.** The Countywide Oversight Board hereby directs the Successor Agency to transfer the Residual Funds to the County Auditor-Controller for the Final Transfer and notify the Countywide Oversight Board of such transfer within 100 days after the DOF's approval of the request to dissolve the Successor Agency, pursuant to HSC Section 34187(e).

**SECTION 4.** The Clerk of the Countywide Oversight Board is hereby directed to transmit a copy of this Resolution (including Exhibit A) to the DOF.

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

EXHIBIT A

Resolution No. SA 25-01

(Attached)

RESOLUTION NO. SA 25-01

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE  
SAN CLEMENTE REDEVELOPMENT AGENCY  
REQUESTING ORANGE COUNTYWIDE OVERSIGHT BOARD  
ACTION TO FORMALLY DISSOLVE THE SUCCESSOR  
AGENCY, CONDITIONED UPON APPROVAL BY THE  
OVERSIGHT BOARD AND CALIFORNIA DEPARTMENT OF  
FINANCE, AND TAKING RELATED ACTIONS

WHEREAS, the Successor Agency to the San Clemente Redevelopment Agency ("Successor Agency") has been duly created and existing in accordance with applicable law, including Part 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code (the "Dissolution Law"), as the successor-in-interest by operation of law of the former San Clemente Redevelopment Agency ("RDA"); and

WHEREAS, the Successor Agency is tasked with winding down the RDA's affairs;  
and

WHEREAS, 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; and

WHEREAS, in accordance with the Dissolution Law, the Successor Agency has over the years duly submitted the Recognized Obligation Payment Schedule ("ROPS") to the Oversight Board to the Successor Agency ("Oversight Board") and California Department of Finance ("DOF" or "department"), which have duly been approved by the Oversight Board and DOF; and

WHEREAS, in accordance with the Dissolution Law, all "enforceable obligations" (as defined in Health and Safety Code section 34171(d)) of the former RDA have been paid off pursuant to the duly approved ROPS; and

WHEREAS, pursuant to Health and Safety Code section 34187(b) in the Dissolution Law ("Section 34187(b)"), "When all of the enforceable obligations have been retired or paid off, all real property has been disposed of pursuant to Section 34181 or 34191.4, and all outstanding litigation has been resolved, the successor agency shall, within 30 days of meeting the aforementioned criteria, submit to the oversight board a request, with a copy of the request to the county auditor-controller, to formally dissolve the successor agency, and the oversight board shall approve the request within 30 days, and shall submit the request to the department"; and

WHEREAS, the Successor Agency meets all criteria in Section 34187(b) to request and process to completion the formal dissolution of the Successor Agency; and

WHEREAS, the Successor Agency prefers to commence the process to formally dissolve at this time in accordance with the Dissolution Law.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Successor Agency to the San Clemente Redevelopment Agency, as follows:

Section 1. The Recitals above are true and correct and comprise a substantive part on this Resolution and are hereby incorporated fully herein by this reference.

Section 2. The Board of Directors hereby finds and determines that all of the Dissolution Criteria set forth in HSC Section 34187(b) for the Successor Agency's dissolution have been met.

Section 3. The Board of Directors, pursuant to Section 34187(b), hereby requests that the Oversight Board adopt a resolution (the "OB Resolution") approving the Successor Agency's request to formally dissolve and commence the process to formally dissolve the Successor Agency.


Section 4. The Board of Directors hereby authorizes and directs the officers and the other staff members of the Successor Agency to take any other or further actions on behalf of the Successor Agency and execute such documents, as may be necessary or appropriate, to implement the request and satisfy the conditions of formal dissolution, as provided for in this Resolution. The authorization and direction in this section includes but is not limited to the submittal of a copy this Resolution to the County Auditor-Controller in accordance with Section 34187(b), and submittal and execution of any documents as may be requested by the Oversight Board or DOF.

Section 5. If any provisions of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Board of Directors hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

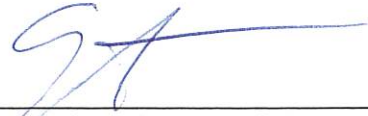
Section 6. The Secretary shall certify to the passage and adoption of this Resolution and submit it to the Oversight Board.

PASSED AND ADOPTED this 1st day of April, 2025.

ATTEST:

  
Secretary of the Successor Agency

Laura Campagnolo

  
Chair of the Board of the  
Successor Agency to the San  
Clemente Redevelopment  
Agency Steve Knoblock

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) §  
CITY OF SAN CLEMENTE   )

I, LAURA CAMPAGNOLO, Secretary of the Successor Agency to the San Clemente Redevelopment Agency, do hereby certify that Resolution No. SA 25-01 was adopted at a special meeting of the Board of Directors of the Successor Agency to the San Clemente Redevelopment Agency held on the 1st day of April, 2025, by the following vote:

AYES: CABRAL, ENMEIER, LOEFFLER, WU, CHAIR KNOBLOCK

NOES: NONE

ABSENT: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 1<sup>st</sup> day of April, 2025.

  
\_\_\_\_\_  
Secretary, Successor Agency

*Laura Campagnolo*

Approved as to form:



Elizabeth A. Mitchell, General Counsel



## San Clemente Successor Agency

### Dissolution Timeline

Actual Date	Legal Deadline	Action	Documents
January 2025		Last enforceable obligation of the San Clemente Successor Agency paid off	
April 1, 2025	Within 30 days (May 1, 2025)	San Clemente Successor Agency votes to request dissolution HSC §34187(b)	Staff Report to SCSA Resolution of SCSA
April 29, 2025	Within 30 days of April 1 <b>(Tuesday, April 29, 2025)</b>	Orange Countywide Oversight Board votes for the dissolution request and submits it to the Department of Finance HSC §34187(b)	Staff Report to Approve to OB Resolution of OB to Approve, with Reso of SCSA Attached
May 29, 2025	Within 30 days of Approved OB Resolution sent to DOF by SA (Date TBD) (Next meeting is July 29)	California Department of Finance approves or rejects dissolution request HSC §34187(d)	Staff Report re: final Reso to OB Resolution of OB to Formally Dissolve, with Reso of SCSA Attached
	Within 100 days of DOF approval	San Clemente Successor Agency must dispose of any remaining assets as directed by the Orange Countywide Oversight Board and then notifies the board of completion of disposal HSC §34187(e)	Formal Letter to BOE, CC Kathy T, notifying of dissolution.  Fill out the BOE-400TA form and submit it to BOE. Send Copy to Kathy T upon notification from BOE.  Letter to Kathy T from SA Attorney confirming no litigation.  Notification of Remaining funds to Auditor Controller and Kathy T.
	No deadline specified	Orange Countywide Oversight Board verifies that all San Clemente obligations have been retired or paid off, all outstanding litigation has been resolved, and all remaining assets	

		have been disposed of HSC §34187(f)	
JULY 29, 2025	Within 14 days of Oversight Board verification	Orange Countywide Oversight Board adopts resolution to formally dissolve San Clemente Successor Agency, which will take effect immediately upon vote of the Orange Countywide Oversight Board. HSC §34187(f)	SA submits approved OB Resolution to DOF
	No deadline specified (Despite the lack of a deadline, this ought to be done promptly)	The Orange Countywide Oversight Board and the SA transmits copies of the dissolution resolution to the City of San Clemente (not the now-dissolved San Clemente Successor Agency), Orange County Auditor-Controller, California State Controller, and California Department of Finance to officially notify these entities of the dissolution. HSC §34187(f)	When DOF responds with their FINAL approval – the SA is officially DISSOLVED

SA must confirm when and how much is the remaining funds that will be transferred to AC for distribution so it can be coordinated with TTC?

Inform the SA to fill out the BOE-400TA form and submit it to BOE before **Dec 1, 2025** so that it can be properly removed from the Board roll.

<https://www.boe.ca.gov/proptaxes/pdf/400ta.pdf>

The Oversight Board should provide its non-ROPS resolutions (e.g. the dissolution resolutions) to the DOF as described here:

[https://www.dof.ca.gov/Programs/Redevelopment/RDA\\_Dissolution\\_QandA/documents/Exhibit\\_6-OB\\_Resolutions.pdf](https://www.dof.ca.gov/Programs/Redevelopment/RDA_Dissolution_QandA/documents/Exhibit_6-OB_Resolutions.pdf)