

Resolution No. 20-015

A RESOLUTION OF THE ORANGE COUNTYWIDE OVERSIGHT BOARD WITH OVERSIGHT OF THE SUCCESSOR AGENCY TO THE MISSION VIEJO REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE 20-21 FISCAL PERIOD OF JULY 1, 2020 TO JUNE 30, 2021, SUBJECT TO SUBMITTAL TO, AND REVIEW BY, THE STATE DEPARTMENT OF FINANCE UNDER CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 24, PART 1.85, AND AUTHORIZING THE POSTING AND TRANSMITTAL THEREOF

WHEREAS, the former Community Development Agency of the City of Mission Viejo (“former Agency”) was established as a community redevelopment agency that was 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 by action of the City Council of the City of Mission Viejo (“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, and most recently by Senate Bill 107 (together, as amended, the “Dissolution Law”); and

WHEREAS, as of February 1, 2012 the former Agency was dissolved under the Dissolution Law, and, as a separate public entity, corporate and politic, the Successor Agency to the Community Development Agency of the City of Mission Viejo (“Successor Agency”) administers the enforceable 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, prior to July 1, 2018 under Dissolution Law, in particular Sections 34179 and 34180, all Mission Viejo Successor Agency actions were subject to the review and approval by a local seven-member oversight board, which oversaw and administered the Mission Viejo Successor Agency activities during the period from dissolution until June 30, 2018; and

WHEREAS, as of, on and after July 1, 2018 under Dissolution Law, in particular Sections 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 here; and

WHEREAS, every oversight board, both the prior local oversight board and this Orange Countywide Oversight Board (“Oversight Board”), has fiduciary responsibilities to the holders of enforceable obligations and to the taxing entities that benefit from distributions of property tax and other revenues under Dissolution Law, in particular Sections 34188; and

WHEREAS, Sections 34177(m), 34177(o) and 34179 provide that each Recognized Obligation Payment Schedule (“ROPS”) is submitted to, reviewed and approved by the Successor

Agency and then reviewed and approved by the Oversight Board before final review and approval by the State of California, Department of Finance (“DOF”); and

WHEREAS, Section 34177(o) of the Dissolution Law requires that the annual ROPS for the 20-21 fiscal period of July 1, 2020 to June 30, 2021 (“ROPS 20-21”) shall be submitted to the DOF by the Successor Agency, after approval by the Oversight Board, no later than February 1, 2020; and

WHEREAS, the Oversight Board has reviewed the ROPS 20-21 presented by the Successor Agency and desires to approve the ROPS 20-21, including the FY 20-21 Administrative Budget included therewith, and to authorize the Successor Agency, to cause posting of ROPS 20-21 on the City’s website: (www.cityofmissionviejo.org) and to direct transmittal of such ROPS to the DOF, with copies to the County Auditor-Controller and the State Controller’s Office;

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

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

Section 2. The Oversight Board hereby approves the ROPS 20-21, along with the Administrative Budget for FY 20-21 that is included therewith as Attachment 1 and 2, and incorporated by this reference, all under the requirements of the Dissolution Law.

Section 3. The Oversight Board authorizes transmittal of ROPS 20-21 to the DOF, with copies to the County Auditor-Controller and the State Controller’s Office.

Section 4. The Director of Administrative Services of the Successor Agency, or her authorized designee(s), is directed to post this Resolution, including ROPS 20-21, on the City’s website (www.cityofmissionviejo.org) under the Dissolution Law.

Section 5. Under Section 34179(h) written notice and information about all actions taken by the Oversight Board shall be provided to the DOF by electronic means and in a manner of DOF’s choosing. An 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; provided however, that under Section 34177(m) as to each ROPS submitted the DOF shall make its determination of the enforceable obligations and the amounts and funding sources of the enforceable obligations thereon no later than 45 days after submittal.

Section 6. The Clerk of the 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 TUESDAY, JANUARY 28, 2020:

YES:

CHARLES BARFIELD, CHRIS GAARDER, STEVE JONES,
BRIAN PROBOLSKY, DEAN WEST

NOES:

EXCUSED:

STEVE FRANKS, PHILLIP E. YARBROUGH

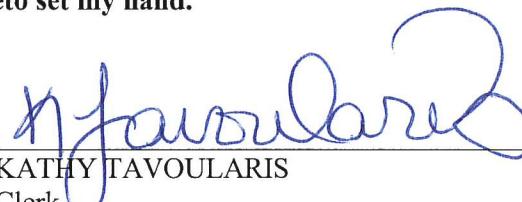
ABSTAINED:


BRIAN PROBOLSKY
CHAIRMAN

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, KATHY TAVOULARIS, Clerk of the Orange Countywide Oversight Board, Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange Countywide Oversight Board.

IN WITNESS WHEREOF, I have hereto set my hand.


KATHY TAVOULARIS
Clerk
Orange Countywide Oversight Board

Resolution No: 20-015

Agenda Date: Tuesday, January 28, 2020

Item No: 6F

Recognized Obligation Payment Schedule (ROPS 20-21) - Summary
Filed for the July 1, 2020 through June 30, 2021 Period

Successor Agency: Mission Viejo

County: Orange

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	20-21A Total (July - December)	20-21B Total (January - June)	ROPS 20-21 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 994,672	\$ 1,011,317	\$ 2,005,989
F RPTTF	869,672	886,317	1,755,989
G Administrative RPTTF	125,000	125,000	250,000
H Current Period Enforceable Obligations (A+E)	\$ 994,672	\$ 1,011,317	\$ 2,005,989

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.

Brian Probolsky, chairman

Name

Title

/s/

Signature

1-28-2020

Date

Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 20-21 Total			RCPS 20-21A (Jul - Dec)			ROPS 20-21B (Jan - Jun)			20-21B Total
										Fund Sources			Fund Sources			Fund Sources			
										Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Other Funds	Other Funds	RPTTF
37	1999 Variable Rate Demand Revenue Bonds (Mission Viejo Mall Improvement Project)	Bonds Issued On or Before 12/31/10	07/01/2014	06/30/2028	Arbitrage Compliance Specialists, Inc.	Arbitrage rebate calculation	1	5,900	N	\$-	-	-	-	\$-	-	-	-	-	\$-
58	1999 Variable Rate Demand Revenue Bonds (Mission Viejo Mall Improvement Project)	Bonds Issued On or Before 12/31/10	05/01/1999	09/01/2028	BNY Mellon Trust	Bond Trustee	1	67,500	N	\$7,500	-	-	-	\$-	-	-	-	7,500	\$7,500

Mission Viejo
Recognized Obligation Payment Schedule (ROPS 20-21) - Report of Cash Balances
July 1, 2017 through June 30, 2018
(Report Amounts in Whole Dollars)

A	B	ROPS 17-18 Cash Balances (07/01/17 - 06/30/18)	Fund Sources				Comments
			C	D	E	F	
		Bond Proceeds	Reserve Balance	Other Funds	RPTTF		
		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	
1	Beginning Available Cash Balance (Actual 07/01/17) RPTTF amount should exclude "A" period distribution amount.	-	-	473,564	7,100	-	
2	Revenue/Income (Actual 06/30/18) RPTTF amount should tie to the ROPS 17-18 total distribution from the County Auditor-Controller	-	-	-	-	2,384,516	
3	Expenditures for ROPS 17-18 Enforceable Obligations (Actual 06/30/18)	-	-	-	-	2,127,440	
4	Retention of Available Cash Balance (Actual 06/30/18) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	-	-	473,564	7,100	-	
5	ROPS 17-18 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 17-18 PPA form submitted to the CAC			No entry required		257,076	
6	Ending Actual Available Cash Balance (06/30/18) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$-	\$-	\$-	

Mission Viejo
Recognized Obligation Payment Schedule (ROPS 20-21) - Notes
July 1, 2020 through June 30, 2021

Item #	Notes/Comments
1	None
2	
4	
7	
8	
27	
33	
37	
58	

City of Mission Viejo
FY 20/21
Administrative Allowance Budget

	<i>Department</i>	<i>Fiscal Year</i>		<i>Successor Agency</i>	<i>SA Administration</i>	<i>% of Time Spent on SA</i>	
		<u>2020/2021 Costs</u>	<u>Hourly Rate</u>			<u>Hours</u>	<u>Issues</u>
<i>Direct Personnel Costs</i>							
City Manager	City Manager	\$ 379,664	\$ 182.53	36.00	\$ 6,571	1.73%	
Assistant City Manager/Director of Public Services	City Manager	324,371	155.95	36.00	5,614	1.73%	
Executive Administrator	City Manager	126,700	60.91	12.00	731	0.58%	
City Council	City Council	127,805	61.44	7.25	445	0.35%	
City Clerk	City Clerk	130,356	62.67	8.00	501	0.38%	
Director of Administrative Services	Administrative Services	267,028	128.38	112.00	14,378	5.38%	
AS Manager-Treasury	Administrative Services	143,849	69.16	77.00	5,325	3.70%	
AS Manager-Accounting	Administrative Services	149,123	71.69	49.00	3,513	2.36%	
Treasury Analyst	Administrative Services	114,243	54.92	122.75	6,742	5.90%	
Accountant	Administrative Services	89,634	43.09	50.00	2,155	2.40%	
Junior Accountant	Administrative Services	88,373	42.49	22.00	935	1.06%	
Payroll Technician	Administrative Services	74,202	35.67	39.00	1,391	1.88%	
AS Manager-Budget & Purchasing	Administrative Services	143,950	69.21	20.00	1,384	0.96%	
AS Analyst	Administrative Services	109,074	52.44	54.25	2,845	2.61%	
Administrative Assistant	Administrative Services	71,689	34.47	10.00	345	0.48%	
Community Development Director	Community Development	271,988	130.76	18.00	2,354	0.87%	
Planning Technician	Community Development	106,803	51.35	13.00	668	0.63%	
Section 115 pension trust payment		37,413			748		
Total Direct Personnel Costs					56,645		
<i>Other Direct Costs</i>							
Attorneys							
Stradling Yocca Carlson & Rauth	SA Attorney				15,000		
Lozano Smith	City Attorney				1,000		
Audit Fees					2,400		
Bank Fees/Delivery/Postage/Office Supplies/Meeting costs					200		
Total Other Direct Cost					18,600		
<i>Indirect Costs (applied at 2.0% of total cost)</i>							
Central Service Departments (per 6/19 cost study)							
Interdepartmental		2,093,475			41,870		
City Council Administration (non-payroll)		60,453			1,209		
Commissions		84,618			1,692		
City Manager Administration (non-payroll)		282,315			5,646		
City Clerk Administration (non-payroll)		11,386			228		
Council Support (non-payroll)		3,600			72		
Elections (non-payroll)		73,200			1,464		
Administrative Services Admin (non-payroll)		13,984			280		
Accounting and Payroll (non-payroll)		18,613			372		
Financial Planning and Budget (non-payroll)		2,580			52		
Purchasing (non-payroll)		1,330			27		
Treasury (non-payroll)		86,500			1,730		
Risk Management		291,034			5,821		
Human Resources		434,145			8,683		
Information Technology		3,395,267			67,905		
Fleet Maintenance		169,165			3,383		
Facilities Maintenance		659,467			13,189		
Cable Television		208,592			4,172		
Community Development Admin (non-payroll)		32,904			658		
Community Development-Current Planning		466,972			9,316		
Community Development-Code Enforcement		349,297			6,986		
Total Indirect Cost					174,755		
Total Successor Agency Admin Allowance Cost					\$ 250,000		

City of Mission Viejo
FY 20/21
Administrative Allowance
Personnel Justification

<i>Position</i>	<i>Department</i>	<i>Summary of Job Duties Pertaining to Successor Agency</i>	<i>Hours</i>	<i>Frequency</i>	<i>Total</i>
		Oversees the entire dissolution process. Attend 4 SA meetings. Review all SA related documents including agenda reports for both SA and OB meetings, and resolutions. Oversee contract with the City Attorney in relation to SA matters, including processing invoices and contract amendments. Oversee the activity at the Mall. Meets with the Mall manager regularly to discuss compliance with Mall Bond covenants, including uses of parking structure, tenancy and maintenance issues. Meets monthly with the Director of Community Development for updates on the NCA development located on the Mall Bond site property and parking structure use issues. Meets with the Kaleidoscope manager regularly to discuss compliance with the covenants on that property, including tenancy, signage and maintenance issues. Owners of Kaleidoscope have been actively trying to sell this property each attempted sell includes communication with potential buyers to communicate covenant requirements on property.	3	12	<u>36</u> <u>36</u>
		Provides support to the CM on oversight of entire dissolution process. Attend 2 SA meetings. Review SA related documents including agenda reports and resolutions. Oversee the activity at the Mall. Meets with the Mall manager regularly to discuss compliance with Mall Bond covenants, including uses of parking structure, tenancy and maintenance issues. Review and approve plans related to the NCA development located on the Mall Bond site property. Meets with the Kaleidoscope manager regularly to discuss compliance with the covenants on that property, including tenancy, signage and maintenance issues. Owners of Kaleidoscope have been actively trying to sell this property each attempted sell includes communication with potential buyers to communicate covenant requirements on property.	3	12	<u>36</u> <u>36</u>
		Direct assistant to the City Manager and Asst City Manager in SA and OB related meetings, transaction processing (i.e. meet and confer related travel requests) and document prep. Estimate is equal to 1 hours per month.	1	12	<u>12</u> <u>12</u>
Executive Administrator	Total Senior Executive Assistant				
	City Council	Attendance at Successor Agency Meetings for 5 members	1.25	4	5
		Attendance at Successor Agency agenda planning mtgs for 2 members	0.5	4	2
		Execution of SA resolutions by Mayor	0.25	1	<u>0.25</u> <u>7.25</u>
	Total City Council				

City of Mission Viejo
FY 2021
Administrative Allowance
Personnel Justification

Position	Department	Summary of Job Duties Pertaining to Successor Agency	Hours	Frequency	Total
City Clerk	City Clerk	Preparation of Successor Agency Board meetings, including review of agenda Preparation of Successor Agency Board agendas Attendance at Successor Agency Board meetings Attendance at Successor Agency agenda planning meetings Preparation of minutes of Successor Agency Board meetings Review and execution of SA resolutions Filing and posting of SA resolutions in City document system Processing SA related public requests under the Brown Act	0.25 0.25 0.25 0.25 0.25 0.25 0.5 1	4 4 4 4 4 1 1	1 1 1 1 1 1 1
	Total City Clerk		8		
Director of Administrative Services	Administrative Services	Review monthly Treasurer's Reports Approve weekly invoices and approve check run Prep of FY 21/22 ROPS, including admin budget Prep of ROPS agenda report and materials Attendance at SA meetings Prep of OB agenda report and materials Attendance at OB meetings Maintain ROPS cash flow worksheet Response to DOF 21/22 ROPS review Prep of FY 18/19 PPA Response to A-C 18/19 PPA review Review Mall Bond spreadsheets (quarterly activity) Review Mall Bond property tax calculations prepared by consultant Process wire transfer requests Review annual Mall Bond rolling reserve letter to trustee Quarterly review of financial activity Year end review of financial activity Review A-C RPTTF reports Audit issues and prep of FY 19/20 CAFR Miscellaneous issues	0.25 0.25 10 2 0.25 2 3 5 2 15 2 1 0.5 0.25 0.5 0.5 1 0.25 4 2	12 26 1 2 8 2 2 2 2 4 6 4 20 1 1 15 1 1 4 3 2 1 0.5 2 1.5 3 1 2 0.5 4 12	3 6.5 10 4 2 2 2 4 6 6 20 2 2 15 2 2 4 4 1.5 3 1 1 0.5 2 4 24 <u>112</u>
	Total Director of Admin Services				

City of Mission Viejo
FY 20/21
Administrative Allowance
Personnel Justification

Position	Department	Summary of Job Duties Pertaining to Successor Agency		
		Hours	Frequency	Total
AS Manager-Treasury	Administrative Services			
	Review monthly Treasurer's Reports	0.5	12	6
	Review Mall Bond sales tax calculations	0.5	2	1
	Review Mall Bond property tax calculations prepared by consultant	0.5	3	1.5
	Mall Bond document review, misc. inquiries	2	6	12
	Prep of FY 21/22 ROPS	3	1	3
	Prep of ROPS agenda report and materials	1	2	2
	Attendance at SA meetings	0.25	4	1
	Prep of OB agenda report and materials	1	2	2
	Attendance at OB meetings	3	2	6
	Attendance of OB meetings	1	1	1
	Review Mall Bond spreadsheets (monthly activity)	1	12	12
	Process wire transfer requests	0.25	2	0.5
	Review annual trustee statements and approve for payment	0.5	2	1
	Review annual Mall Bond rolling reserve letter to trustee	1	1	1
	Audit issues and prep of FY 19/20 CAFR	3	1	3
	Miscellaneous issues	2	12	24
	Total AS Manager-Treasury	2	77	77
AS Manager-Accounting	Administrative Services			
	Review and final approval of all journal entries for quarterly close	0.25	12	3
	Review payroll entries in general ledger	0.5	26	13
	Review of accounts payable coding of SA invoices before processing	0.25	40	10
	Review Mall Bond statement JE's	0.5	12	6
	Analytical review of all monthly financial transactions	0.25	12	3
	Process quarterly admin reimbursement requests	1	4	4
	Successor Agency dissolution law and accounting training	1	1	1
	Maintain chart of accounts for Successor Agency	1	1	1
	Prepare/process/review entries to close SA funds for fiscal year	2	1	2
	Preparation of SA documents for interim audit for FY 20/21; meeting with auditors	3	1	3
	Training and preparation of SSRS reports in Munis	0	1	0
	Preparation of annual CAFR for FY 19/20	3	1	3
	Total AS Manager-Accounting	3	49	49

City of Mission Viejo
FY 20/21
Administrative Allowance
Personnel Justification

Position	Department	<i>Summary of Job Duties Pertaining to Successor Agency</i>	Hours	Frequency	Total
Treasury Analyst	Administrative Services	Review daily cash in bank account on a daily basis and prepare report for review by Treasury Manager and Director Prepare monthly Treasurer's Report Bank reconciliation Quarterly transaction and file maintenance Processing check requests for a/p invoices Update Mail Bond spreadsheets Prepare Rolling Reserve letter to bond trustee Prepare and process Mail Bond monthly transactions Maintain cash and investment accounts/resolve banking issues Prepare wire transfer requests and process transactions Miscellaneous issues	0.25 0.75 0.5 1 0.5 1 4 0.5 0.5 1	247 12 12 4 6 12 1 12 12 12	61.75 9 6 4 3 12 4 6 6 2
Total Treasury Analyst					122.75
Accountant	Administrative Services	Review accounts payable before final posting Prepare and process journal entries for quarterly close Preparation of monthly bank reconciliation Review payroll entries in general ledger Preparation of Mail Bond monthly transactions Preparation of SA docs for interim audit FY 20/21 Preparation of CAFR for FY 19/20 Prepare and maintain SSRS reports in Munis Successor Agency accounting training	0.25 0.25 0 0.5 1 3 2 0.5 1	40 12 12 26 12 1 1 12 1 1	10 3 0 13 12 3 2 6 1 1
Total Accountant					50
Junior Accountant	Administrative Services	Review SA accounts payable invoices; issuing checks and preparing check registers Preparation of CAFR for FY 19/20 Successor Agency accounting training	0.5 1 1	40 1 1	20 1 1
Total Junior Accountant					22
Payroll Technician	Administrative Services	Processing of timesheets for all employees including City employees performing direct duties for Successor Agency; Reviewing timesheets for project allocations, including SA related issues; processing paychecks; reviewing all payroll reports for correctness Continuation of maintaining payroll in Munis, including project ledger info and integration to track Successor Agency time, ESS.	1 0.5	1 1 1 26 26	1 1 1 26 26
Total Payroll Technician					39

City of Mission Viejo
FY 20/21
Administrative Allowance
Personnel Justification

<i>Position</i>	<i>Department</i>	<i>Summary of Job Duties Pertaining to Successor Agency</i>		
		<i>Hours</i>	<i>Frequency</i>	<i>Total</i>
AS Manager-Budget & Purchasing	Administrative Services			
		Set up/Manage of Successor Agency Chart of Accounts	2	1
		Processing purchase orders and contracts	0.5	2
		Management of purchase orders/contracts until close	0.25	12
		Successor Agency accounting training	1	1
		Development of budget (1.5% of 832 hours)	12	1
		Training and preparation of SSRS reports in Munis	1	1
				20
Total Budget & Purchasing Manager				
AS Analyst	Administrative Services			
		General support to the Director of Administrative Services	3	12
		Processing purchase orders and contracts	0.5	2
		Management of purchase orders/contracts until close	0.25	12
		Preparation of Successor Agency staff reports	1	12
		Posting of OB resolutions, ROPS and other docs on website	0.5	2
		Submittal of docs to DOF	0.25	1
		Processing SA related public requests under the Brown Act	1	0.25
				54.25
Total AS Analyst				
Administrative Assistant	Administrative Services			
		Scan/attach/code accounts payable invoices into accounting system	0.25	40
				10
	Total Administrative Assistant			
Community Development Director	Community Development			
		Monitor development of Mall property in accordance with bond covenants	1.5	12
				18
	Total CD Director			
Code Enforcement Officer	Community Development			
		Code enforcement activities related to bond covenants	0.5	26
				13
	Total Code Enforcement Officer			