

Board Members:

Steve Berry
*City of Buena Park
Representative*

Melissa Dhauw
*Former Buena Park
Redcvelopment Agency
Employee Representative*

Colleen Patterson
*County Superintendent of
Education Representative*

Alyson Price
*Orange County Board of
Supervisors Representative*

Fred Smith
*Orange County Sanitation District
Representative*

Fred Williams
*Chancellor of the California
Community Colleges
Representative*

David Zenger
*Orange County Board of
Supervisors Representative*

Successor Agency Staff:

Rick Warsinski
City Manager

May Hui
Economic Development Director

Ruben Lopez
Assistant Director

D. Scott Riordan
Project Manager

Lana Ardaiz
Department Head Secretary

Sung Hyun
Finance Director

Shalice Tilton
City Clerk

**OVERSIGHT BOARD
OF THE
SUCCESSOR AGENCY
TO THE
COMMUNITY REDEVELOPMENT AGENCY
OF THE
CITY OF BUENA PARK
REGULAR MEETING**

TUESDAY, MAY 29, 2012

~ 10:30 AM ~
Main Conference Room

Buena Park City Hall
6650 Beach Boulevard
Buena Park, CA 90621

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Please contact the Successor Agency Clerk either in person at 6650 Beach Blvd., Buena Park, California or by calling (714) 562-3586 no later than 10:00AM on the City business day preceding the scheduled meeting.

OVERSIGHT BOARD MEETING AGENDA

TUESDAY, MAY 29, 2012
~ 10:30 AM ~

1. OPENING

1.1. CALL TO ORDER

1.2. PLEDGE OF ALLEGIANCE TO THE FLAG

1.3. ROLL CALL

PRESENT –

ABSENT –

2. PUBLIC COMMENTS

At this time, members of the public may address the Oversight Board on any **off-agenda** items within the subject matter jurisdiction of the Oversight Board provided that NO action may be taken on off-agenda items unless authorized by law. Comments are limited to **three minutes per person**.

3. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine by the Oversight Board and will be enacted by one motion. There will be no separate discussion of said items unless members of the Oversight Board, staff or the public request specific items removed from the Consent Calendar for separate action.

OVERSIGHT BOARD MEETING AGENDA

TUESDAY, MAY 29, 2012
~ 10:30 AM ~

4. ADMINISTRATIVE REPORTS

4.1. Direct Successor Agency to assign responsibilities and all rights, powers, and duties to the City of Buena Park per ABX1 26 (sec 34181).

Recommended Action: Approve assignment of housing responsibilities to City.

4.2. Approval of Amended First and Second Recognized Obligation Payment Schedules (ROPS) for the periods covering January 1, 2012 through June 30, 2012 and July 1, 2012 through December 31, 2012.

Recommended Action:

1. Move to approve the Amended Recognized Obligation Payment Schedules (ROPS) and authorize the City Manager to transmit copies of the approved ROPS to the Department of Finance, Orange County Auditor Controller and State Controller.

5. FUTURE AGENDA ITEMS

5.1 Upcoming agenda items by Successor Agency staff

5.2 Other items as requested by the Oversight Board

5.3 Designation of future meeting dates

6. CLOSED SESSION

7. ADJOURNMENT

Adjourn to next scheduled meeting. Date to be determined.

Declaration of Successor Agency Clerk, Lana Ardaiz, declaring posting of the Oversight Board of the Successor Agency to the Community Redevelopment Agency agenda of The City of Buena Park a regular meeting of May 29, 2012 at Buena Park City Hall at 6650 Beach Blvd., Buena Park, CA 90622 being in the City of Buena Park and freely accessible to members of the public at least 72 hours before commencement of said regular meeting; and available at the City Hall Clerk's Office.

AGENDA REPORT
OVERSIGHT BOARD
OF THE SUCCESSOR AGENCY
TO THE COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF BUENA PARK

MEETING DATE: May 29, 2012

TO: The Chairman and Members of the Oversight Board

TITLE: DIRECT SUCCESSOR AGENCY TO ASSIGN HOUSING RESPONSIBILITIES TO THE CITY OF BUENA PARK

RECOMMENDED ACTION: Approve assignment of housing responsibilities to the City.

BACKGROUND: In June 2011 the Governor signed ABX126 into law unwinding redevelopment agencies in California. One of the provisions of the law, Sec. 34176 (a), allows for the City to “elect to retain the housing assets and functions previously performed by the redevelopment agency”. On January 31, 2012, the City Council adopted Resolution No. 12685 electing to retain the housing assets and functions.

Sec. 34181 of ABX126 states that the Oversight Board shall direct the Successor Agency to assign housing responsibilities to the City if it elected to assume them.

Staff recommends that the Oversight Board direct the assignment of the housing responsibilities to the City, per ABX126.

Prepared by: D. Scott Riordan, Successor Agency Staff
Approved by: Rick Warsinski, Official Designee to the Oversight Board

Attachment: Resolution No. 12685

RESOLUTION NO. 12685

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK
MAKING AN ELECTION IN CONNECTION WITH HOUSING ASSETS AND
FUNCTIONS UNDER PART 1.85 OF DIVISION 24 OF THE CALIFORNIA
HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN
CONNECTION THEREWITH

WHEREAS, AB X1 26 and AB X1 27 were signed by the Governor of California on June 29, 2011, making certain changes to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the California Health and Safety Code) (the "Redevelopment Law"), including adding Part 1.8 (commencing with Section 34161) ("Part 1.8") and Part 1.85 (commencing with Section 34170) ("Part 1.85").

WHEREAS, The California Redevelopment Association and League of California Cities filed a lawsuit in the Supreme Court of California (*California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861)) alleging that AB X1 26 and AB X1 27 are unconstitutional. On December 29, 2011, the Supreme Court issued its opinion in the *Matosantos* case, largely upholding AB X1 26, invalidating AB X1 27, and holding that AB X1 26 may be severed from AB X1 27 and enforced independently.

WHEREAS, The Supreme Court generally revised the effective dates and deadlines for performance of obligations in Part 1.85 arising before May 1, 2012, to take effect four months later.

WHEREAS, As a result of the Supreme Court's decision, the Community Redevelopment Agency of the City of Buena Park (the "Redevelopment Agency"), a redevelopment agency in the City of Buena Park (the "City"), created pursuant to the Redevelopment Law, will be dissolved pursuant to Part 1.85 on February 1, 2012.

WHEREAS, Health and Safety Code Section 34176(a) authorizes a city that created a redevelopment agency to elect to retain the housing assets and functions previously performed by the redevelopment agency. Pursuant to Section 34176(a), if a city elects to retain the responsibility for performing housing functions previously performed by the redevelopment agency, all rights, powers, duties, and obligations, excluding any amounts on deposit in the Low and Moderate Income Housing Fund, shall be transferred to the City.

WHEREAS, Health and Safety Code Section 34176(b) provides that if a city does not elect to retain the responsibility for performing housing functions previously performed by the redevelopment agency, all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the redevelopment agency, excluding any amounts in the Low and Moderate Income Housing Fund, shall be transferred as follows: (1) where there is no local housing authority in the territorial jurisdiction of the former redevelopment agency, to the Department of Housing and Community Development; (2) where there is one local housing authority in the territorial jurisdiction of the former redevelopment agency, to that local housing authority; and (3) where there is more than one local housing authority in the territorial jurisdiction of the former redevelopment agency, to the local housing authority selected by the city that authorized the creation of the redevelopment agency.

WHEREAS, Health and Safety 34176(c) provides that the entity assuming the housing functions formerly performed by the redevelopment agency may enforce affordability covenants and perform related activities pursuant to applicable provisions of the Redevelopment Law, including, but not limited to, Health and Safety Code Section 33418.

WHEREAS, The City Council desires to adopt this resolution in connection with the housing assets and functions previously performed by the Redevelopment Agency.

NOW, THEREFORE, the City Council of the City of Buena Park does hereby resolve, determine, and order as follows:

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

Section 2. This Resolution is adopted pursuant to Health and Safety Code Section 34176.

Section 3. [Pursuant to Health and Safety Code Section 34176(a), the City Council hereby elects for the City to retain the housing assets, as allowed by law, and functions previously performed by the Redevelopment Agency and hereby accepts the transfer of all rights, powers, duties, and obligations associated with the housing activities of the Redevelopment Agency. The City Council reserves its right to rescind this election and to subsequently determine that all of the rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the Redevelopment Agency shall be transferred to the housing authority selected by the City.]

Section 4. The officers and staff of the City are hereby authorized and directed, jointly and severally, to make all notifications of the Council's election, as set forth in Section 3 hereof, as deemed necessary or advisable and to execute all documents and take all actions which they may deem necessary or advisable to effectuate this Resolution, and any such actions previously taken by such officers and staff are hereby ratified and confirmed.

Section 5. The adoption of this Resolution is not intended to and shall not constitute a waiver by the City of any right the City may have to challenge the legality of all or any portion of AB X1 26 through administrative or judicial proceedings.

Section 6. This Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines. The City Council has determined that this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment. (Guidelines Section 15378(b) (5)).

Section 7. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED this 31st day of January 2012, by the following called vote:


AYES:	COUNCILMEMBERS:	Oh, Smith, Swift, Dow
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Berry
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:



City Clerk





Mayor

I, Shalice Tilton, City Clerk of the City of Buena Park, California, hereby certify that the foregoing resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the City of Buena Park, held this 31st day of January, 2012.



City Clerk

AGENDA REPORT

**OVERSIGHT BOARD
OF THE SUCCESSOR AGENCY
TO THE COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF BUENA PARK**

MEETING DATE: May 29, 2012

TO: The Chairman and Members of the Oversight Board

TITLE: APPROVAL OF THE AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE (FIRST ROPS) FOR THE SIX-MONTH FISCAL PERIOD COMMENCING JANUARY 1, 2012 AND ENDING JUNE 30, 2012 AND THE AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE (SECOND ROPS) FOR THE SIX-MONTH FISCAL PERIOD COMMENCING JULY 1, 2012 AND ENDING DECEMBER 31, 2012

RECOMMENDED ACTION: (1) Approve the Amended Recognized Obligation Payment Schedule (First ROPS) for the six-month fiscal period commencing January 1, 2012 and ending June 30, 2012; (2) Approve the Amended Recognized Obligation Payment Schedule (Second ROPS) for the six-month fiscal period commencing July 1, 2012 and ending December 31, 2012; and, (3) Direct staff to submit both ROPS to the Department of Finance and to the Orange County Auditor Controller's Office.

DISCUSSION: On April 9, 2012, the Oversight Board approved the First ROPS as presented. The California Department of Finance (DOF) reviewed the ROPS and on April 26, 2012, issued a letter stating that one item, the California Department of Transportation (CalTrans), matching funds for \$50,000 for the Multi-modal Mobility Action Plan did not qualify as an enforceable obligation. Staff recommends approval of the Amended ROPS with the removal of the CalTrans matching grant.

On April 23, 2012, the Oversight Board approved the Second ROPS as presented. The DOF reviewed the ROPS and on May 7, 2012 issued a letter stating that one item does not qualify as an enforceable obligation and six items required "sufficient documentation to support" the projects. We have replied to DOF and are awaiting a response, but are not confident they will provide one prior to May 25, 2012. This is the deadline DOF has said they will issue final determination letters to Successor Agencies and County Auditor Controllers to fund the existing obligations.

The following items have been initially rejected by DOF as being eligible for payment. The reasons for the Successor Agency contesting the DOF objections are stated below. The Successor Agency hereby preserves its right to appeal the DOF's decision on each item at every appropriate level including litigation in the court system.

1) Item 23. Jonathan Lehrer-Graiwer Judgment.

The DOF has indicated the judgment is not an enforceable obligation. Per AB X1 26, Sec 34167 (d) (4) "Judgments or settlements entered by a competent court of law" are considered enforceable obligations. The date of the judgment is April 1993.

DOF has requested additional documentation (which has since been provided) for the following items. Staff will update the Oversight Board on discussions with the DOF at the meeting.

2) Item 27. Jamboree Housing Project - Employee Costs for Project Management.

The DOF is asking why project management is listed on the ROPS. There is still an ongoing obligation of the Successor Agency to make sure the project is constructed as planned. Per the DOF Q & A regarding common dissolution issues: "Generally employees working on specific project implementation activities such as construction inspection, project management or actual construction would not be viewed by Finance as "administrative."

3) Item 28. Property Management/Maintenance – Employee Costs.

The DOF is requesting further explanation. This item involves taking care of 45 properties covering more than 33 acres of land that were purchased by the former Redevelopment Agency. Many of the sites are vacant with buildings; vacant properties that need maintenance; or have tenants that we have to manage. The vacant buildings and properties have become a nuisance in the City and have been the target of vandalism, graffiti, break-ins, and squatters. As a result, property management has been key to maintaining the properties so they do not negatively impact the neighboring properties as well as the City.

4) Item 32. Developer Disposition Agreement – Buena Park Mall.

The DOF requested copies of contracts between the Developer and their contractors, however, the Agency was not party to the contracts. The original Agreement (called Reimbursement for Public Improvements and Pledge Agreement) was executed in May 2002 and Amended in July/August 2003.

5) Item 33. Developer Disposition Agreement – CDW.

The DOF requested information on the construction contracts. The Participation Agreement was executed in February 2006. CDW moved into an existing building and did tenant improvements to start their operations. Project management was not necessary for this project.

6) Item 34. Developer Disposition Agreement – CarMax.

The DOF requested the construction contract. The CarMax project was a public/private partnership. The former Redevelopment Agency's responsibility was to assemble the properties and assure a car dealership was developed on the site. This Agreement was executed in November of 1997 and amended in 1998, 1999 and 2003.

7) Item 35. Developer Disposition Agreement – The Source.

The DOF requested the project plans and budget. Plans were sent. The budget will be submitted when construction drawings are completed. The Agreement was executed in October of 2010.

In order to preserve the Successor Agency's (SA) ability to proceed to process all necessary appeals and potential litigation concerning the above-described disputes between the SA and the DOF, on May 21, 2012, the SA adopted a resolution approving the two schedules resubmitting the ROPS documents designating the items which agreement has not been reached.

Staff is recommending that the Oversight Board approve the First and Second ROPS and direct staff to send them to the DOF, County Auditor Controller's Office and State Controller's Office.

Prepared by: May Wong Hui, Successor Agency Staff

Approved by: Rick Warsinski, Official Designee to the Oversight Board

Presented by: May Wong Hui, Successor Agency Staff

ATTACHMENTS:

1. Amended Recognized Obligation Payment Schedule, Exhibit A (First ROPS)
2. Letter from Department of Finance dated April 26, 2012
3. Amended Recognized Obligation Payment Schedule, Exhibit B (Second ROPS)
4. Letter from Department of Finance dated May 7, 2012

Name of Redevelopment Agency: Community Redevelopment Agency of the City of Buena Park
 Project Area(s): Consolidated Project Area

AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE

January - June 2012
 Per AB 26 - Section 34167 and 34169

Project Name / Debt Obligation	Payee	Description	Source of Funding	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by Month						Total
						Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	
BONDS												
1) 2000 Tax Allocation Bonds	Union Bank	Bonds-Housing & Non-Housing Projects	Low Mod/Tax Inc.	3,080,301.00	1,501,671.25	-	-	56,763.75	-	-	791,763.75	\$ 1,501,671.25
2) 2003 Tax Allocation Bonds	Union Bank	Bonds-Housing & Non-Housing Projects	Low Mod/Tax Inc.	23,039,148.00	3,008,639.00	-	-	314,884.00	-	-	1,354,863.75	\$ 3,008,639.00
3) 2008 Tax Allocation Bonds, Series A	Union Bank	Bonds-Housing & Non-Housing Projects	Tax Increment	97,211,233.00	4,325,930.00	-	-	1,336,280.00	-	-	1,551,260.00	\$ 4,325,930.00
4) 2008 Tax Allocation Bonds, Series B	Union Bank	Bonds-Housing & Non-Housing Projects	Tax Increment	37,458,371.00	3,852,694.21	-	-	738,822.00	-	-	1,318,821.63	\$ 3,852,694.21
			Sub-Total	\$ 180,786,053.00	\$ 12,698,434.46	\$ -	\$ -	\$ 2,446,748.75	\$ -	\$ -	\$ 4,956,746.13	\$ 12,698,434.46
PASS-THROUGH AGREEMENTS												
5) Pass-through Agreement	OC Gen., Flood, Library&Habitat	Affected Taxing Entity Project Agmt.	Tax Increment	11,501,033.00	816,385.51	-	-	330,752.51	-	-	-	\$ 816,385.51
6) Pass-through Agreement	City of Buena Park	Affected Taxing Entity Project Agmt.	Tax Increment	6,628,830.98	593,819.99	-	-	201,550.40	-	-	-	\$ 593,819.99
7) Pass-through Agreement	Buena Park City Park Dist.	Affected Taxing Entity Project Agmt.	Tax Increment	2,367,447.94	108,474.75	-	-	963.48	-	-	-	\$ 108,474.75
8) Pass-through Agreement	Centralia Elementary	Affected Taxing Entity Project Agmt.	Tax Increment	11,625,836.54	823,978.04	-	-	285,486.37	-	-	-	\$ 823,978.04
9) Pass-through Agreement	Cypress Elementary	Affected Taxing Entity Project Agmt.	Tax Increment	2,366,808.84	186,274.01	-	-	57,791.79	-	-	-	\$ 186,274.01
10) Pass-through Agreement	OC Dept. of Education	Affected Taxing Entity Project Agmt.	Tax Increment	4,899,362.88	341,788.49	-	-	121,785.45	-	-	-	\$ 341,788.49
11) Pass-through Agreement	OC Sanitation District	Affected Taxing Entity Project Agmt.	Tax Increment	2,190,181.22	150,845.13	-	-	51,291.44	-	-	-	\$ 150,845.13
12) Pass-through Agreement	OC Transit Authority	Affected Taxing Entity Project Agmt.	Tax Increment	201,177.88	13,842.28	-	-	4,997.82	-	-	-	\$ 13,842.28
13) Pass-through Agreement	OC Vector Control	Affected Taxing Entity Project Agmt.	Tax Increment	195,662.06	13,647.37	-	-	4,953.84	-	-	-	\$ 13,647.37
14) Pass-through Agreement	OC Water District	Affected Taxing Entity Project Agmt.	Tax Increment	963,204.86	87,673.00	-	-	23,890.86	-	-	-	\$ 87,673.00
15) Pass-through Agreement	OC Water Dist. - Wtr Res.	Affected Taxing Entity Project Agmt.	Tax Increment	7,263.38	501.60	-	-	171.31	-	-	-	\$ 501.60
16) Pass-through Agreement	Anaheim Union High Sch.	Affected Taxing Entity Project Agmt.	Tax Increment	9,023,739.24	641,756.44	-	-	231,586.52	-	-	-	\$ 641,756.44
17) Pass-through Agreement	No. OC Comm. College	Affected Taxing Entity Project Agmt.	Tax Increment	8,322,855.16	583,898.88	-	-	205,606.80	-	-	-	\$ 583,898.88
18) Pass-through Agreement	B.P. Library District	Affected Taxing Entity Project Agmt.	Tax Increment	4,140,887.10	351,392.28	-	-	163,119.24	-	-	-	\$ 351,392.28
19) Pass-through Agreement	B.P. School Dist. Elem.	Affected Taxing Entity Project Agmt.	Tax Increment	15,891,530.84	1,087,575.81	-	-	365,688.14	-	-	-	\$ 1,087,575.81
20) Pass-through Agreement	Fullerton Union High Sch. *	Affected Taxing Entity Project Agmt.	Tax Increment	14,572,769.08	1,002,570.32	-	-	340,172.18	-	-	-	\$ 1,002,570.32
21) Pass-through Agreement	Savanna Elementary Sch.	Affected Taxing Entity Project Agmt.	Tax Increment	517,856.46	36,014.04	-	-	12,475.11	-	-	-	\$ 36,014.04
21a) Pass-through Agreement	La Palma Muni Lighting District	Affected Taxing Entity Project Agmt.	Tax Increment	260.00	6.25	-	-	6.25	-	-	-	\$ 6.25
21b) Pass-through Agreement	OC Fire Authority	Affected Taxing Entity Project Agmt.	Tax Increment	3,000.00	120.90	-	-	120.90	-	-	-	\$ 120.90
21c) Pass-through Agreement	OC Cemetery District	Affected Taxing Entity Project Agmt.	Tax Increment	180.00	4.34	-	-	4.34	-	-	-	\$ 4.34
21d) Pass-through Agreement	Cypress Park & Rec. District	Affected Taxing Entity Project Agmt.	Tax Increment	800.00	19.08	-	-	19.08	-	-	-	\$ 19.08
			Sub-Total	\$ 97,371,877.38	\$ 6,800,897.30	\$ -	\$ -	\$ 2,431,035.83	\$ -	\$ -	\$ -	\$ 6,800,897.30

OTHER/CONTRACTUAL OBLIGATIONS

22) Property Taxes	O.C. Tax Treasurer	Property Taxes for Agency Properties	Low Mod/Tax Inc.	22,926.57	22,926.57	-	-	-	-	-	-	\$ 22,926.57
23) Judgment-Jonathan Lehrer-Grainger	Housing Set-Aside Fund	Affordable Housing Requirements	Low Mod.	110,051,140.80	5,044,010.62	-	-	458,546.42	-	-	458,546.42	\$ 5,044,010.62
24) Pending Lawsuit	Gregorian vs. Agency	Potential Settlement	Tax Increment	TBD	TBD	-	-	TBD	-	-	TBD	TBD
25) Personnel and Operating Costs	City of Buena Park	Admin., Personnel, Fac. & Oper. Costs	Tax Increment	2,211,398.02	284,104.36	-	-	284,104.36	-	-	284,104.36	\$ 284,104.36
26) Beach/Organizational Project	Employee Costs	Project Management	Tax Increment	332,160.78	47,484.36	-	-	7,915.73	-	-	7,915.73	\$ 47,484.36
27) Jamboree Housing Project	Employee Costs	Project Management	Low Mod.	302,844.56	43,283.86	-	-	7,210.61	-	-	7,210.61	\$ 43,283.86
28) Property Management/Maintenance	Employee Costs	Property/Maintenance Management	Low Mod/Tax Inc.	198,251.39	39,650.28	-	-	6,808.38	-	-	6,808.38	\$ 39,650.28
29) Affordable Housing Management	Employee Costs	Affordable Housing Monitoring	Low Mod. Tax Inc.	2,192,167.00	27,093.68	-	-	4,510.61	-	-	4,510.61	\$ 27,093.68
30) Employee Costs-Accrued Leave	Employee Leave	Accrued Leave Liability	Tax Increment	540,238.21	540,238.21	-	-	-	-	-	-	\$ 540,238.21
31) Employee Retirement Costs	CalPERS	CalPERS Unfunded Liability	Tax Increment	TBD	TBD	-	-	TBD	-	-	TBD	TBD
32) Developer Disposition Agreement	Buena Park Mall	Tax Increment Reimbursement	Tax Increment	13,063,882.52	244,666.00	-	-	-	-	-	-	\$ 244,666.00
33) Developer Disposition Agreement	CDW	Tax Increment Reimbursement	Tax Increment	60,031,238.00	1,147,337.00	-	-	1,147,337.00	-	-	-	\$ 1,147,337.00
34) Developer Disposition Agreement	CarMax	Tax Increment Reimbursement	Tax Increment	1,482,000.00	388,180.39	-	-	92,000.00	-	-	-	\$ 388,180.39
35) Developer Disposition Agreement	The Source	Tax Increment Reimbursement	Tax Increment	66,170,000.00	6,000.00	-	-	-	-	-	-	\$ 6,000.00
36) Developer Disposition Agreement	Jamboree Housing	Affordable Housing Loan	Low Mod.	6,590,000.00	6,590,000.00	-	-	-	-	-	-	\$ 6,590,000.00
37) Property Tax Administration	HdL	Property & Sales Tax Admin. Costs	Tax Increment	30,653.55	30,653.55	-	-	-	-	-	-	\$ 30,653.55
38) Auto Dealer Sign Project	Yesco/ChifKOA	Auto Dealer Sign Project	Tax Increment	1,095,000.00	1,095,000.00	-	-	-	-	-	-	\$ 1,095,000.00
39) Entertain/Condor (Zeiner) Action Plan	TBD	Bond Proceeds for Design & Streetscape	Tax Increment	5,300,000.00	20,000.00	-	-	-	-	-	10,000.00	\$ 20,000.00

Note: Payment amounts are estimates and subject to change.

* Fullerton Dist. issued Certificates of Participation repaid with pass-throughs to make lease payments.

Project Name / Debt Obligation	Payee	Description	Sources of Funding	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by Month												Total
						Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12							
40) Engineering Services	CBMKOA Engineering	Professional Service Agreement	Tax Increment	100,000.00	100,000.00	15,112.50	15,112.50	15,112.50	15,112.50	15,112.50	15,112.50	15,112.50	15,112.50	15,112.50	15,112.50	100,000.00		
41) Economic Feasibility Services	Keyser Marston	Professional Service Agreement	Low Mod/Tax Inc	18,615.00	18,615.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	18,615.00		
42) Property Acquisition	SCS Engineering	Environmental Services - 6192 Auto Ctr.	Tax Increment	19,028.00	19,028.00	3,125.00	3,125.00	3,125.00	3,125.00	3,125.00	3,125.00	3,125.00	3,125.00	3,125.00	3,125.00	19,028.00		
43) Entertainment Zone	Idillime	Entertainment Zone Master Plan	Tax Increment	25,180.00	25,180.00	2,946.81	2,946.81	2,946.81	2,946.81	2,946.81	2,946.81	2,946.81	2,946.81	2,946.81	2,946.81	25,180.00		
44) The Source Project Legal Services	Richards, Watson, Gershon	Project Legal Services	Tax Increment	8,154.00	8,154.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	8,154.00		
45) Jamboree Housing Legal Services	Richards, Watson, Gershon	Project Legal Ser. fees	Tax Increment	12,017.00	12,017.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	12,017.00		
46) ABX1 28 Administration	Co. Auditor-Controller & SCO	ABX1 28 Administration	Tax Increment	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD		
47) Bond Consulting Services	Willard Financial Services	Arbitrage Calculation for Bonds	Tax Increment	20,000.00	20,000.00	-	-	-	-	-	-	-	-	-	-	20,000.00		
48) General Legal Services	Richards, Watson, Gershon	Legal Services - General	Tax Increment	100,350.00	100,350.00	12,358.64	12,358.64	12,358.64	12,358.64	12,358.64	12,358.64	12,358.64	12,358.64	12,358.64	12,358.64	100,000.00		
49) Legal Services - Lawsuit	Richards, Watson, Gershon	Legal Services-Gregorian vs. Agency	Tax Increment	75,000.00	75,000.00	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	12,500.00	75,000.00		
50) Legal Services - Special Counsel	Bendley, Laselebin, Miller	Legal Services - CDW	Tax Increment	24,500.00	24,500.00	3,546.00	3,546.00	3,546.00	3,546.00	3,546.00	3,546.00	3,546.00	3,546.00	3,546.00	3,546.00	24,500.00		
51) Buena Park CFD	David Taussig & Associates	Bond Servicing	CFD Assess.	12,000.00	12,000.00	1,030.00	1,030.00	1,030.00	1,030.00	1,030.00	1,030.00	1,030.00	1,030.00	1,030.00	1,030.00	12,000.00		
52) Removed by Oversight Board																		
53) Bond Servicing	Suzanne Harrell & Assoc.	Bonds Servicing - Annual Reports	Tax Increment	8,000.00	8,000.00	-	-	-	-	-	-	-	-	-	-	8,000.00		
54) Commercial Property Database	LoopNet	Database Search Engine Services	Tax Increment	1,344.00	1,344.00	-	-	-	-	-	-	-	-	-	-	1,344.00		
55) Office Equip Maintenance	Konica Minolta	Copier Lease	Tax Increment	8,443.28	8,443.28	458.00	458.00	458.00	458.00	458.00	458.00	458.00	458.00	458.00	458.00	8,443.28		
56) Office Equip Maintenance	Southwest Service	Typewriter Repair Contract	Tax Increment	80.00	80.00	-	-	-	-	-	-	-	-	-	-	80.00		
57) Auditing Services	Teaman, Ramirez, & Smith	Auditing Services	Tax Increment	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00	8,500.00		
58) Lobbyist	Townsend	Lobbyist Services	Tax Increment	49,300.08	49,300.08	4,108.34	4,108.34	4,108.34	4,108.34	4,108.34	4,108.34	4,108.34	4,108.34	4,108.34	4,108.34	49,300.08		
59) ENA Deposit	City Ventures	Reimbursement of Good Faith Deposit	Dev. Deposits	105,000.00	105,000.00	-	-	-	-	-	-	-	-	-	-	105,000.00		
60) ENA Deposit	District Development Part.	Reimbursement of Good Faith Deposit	Dev. Deposits	50,541.66	50,541.66	-	-	-	-	-	-	-	-	-	-	50,541.66		
61) ENA Deposit	Bruce Onix/K&S Holdings	Reimbursement of Good Faith Deposit	Dev. Deposits	25,458.33	25,458.33	-	-	-	-	-	-	-	-	-	-	25,458.33		
62) ENA Deposit	SMF/Penske	Reimbursement of Good Faith Deposit	Dev. Deposits	50,000.00	50,000.00	-	-	-	-	-	-	-	-	-	-	50,000.00		
63) Property-Real Estate Transactions	First American	Title Service	Tax Increment	112,411.00	112,411.00	17,411.00	17,411.00	17,411.00	17,411.00	17,411.00	17,411.00	17,411.00	17,411.00	17,411.00	112,411.00			
64) Property Demolitions	Wingler & Kelly	Engineering Services - Demo Specs	Low Mod/Tax Inc	240,811.25	240,811.25	-	-	-	-	-	-	-	-	-	-	240,811.25		
65) Property Demolitions	Demolition Contractor	Demolition Contractor Services	Low Mod/Tax Inc	1,663,788.00	1,663,788.00	-	-	-	-	-	-	-	-	-	-	1,663,788.00		
66) Property Demolitions	SCS Engineering	Demo-Asbestos Abatement Oversight	Low Mod/Tax Inc	63,160.00	63,160.00	-	-	-	-	-	-	-	-	-	-	63,160.00		
67) Tenant Relocations	Various Tenants	Relocation of Tenants	Low Mod/Tax Inc	1,231,800.00	1,231,800.00	-	-	-	-	-	-	-	-	-	-	1,231,800.00		
68) Relocation Services	California Property Spec.	Relocation Consultant Services	Low Mod/Tax Inc	12,000.00	12,000.00	-	-	-	-	-	-	-	-	-	-	12,000.00		
69) Environmental Remediation	SCS Env./Various Com.	Environ. Remediation-City/Yard/GRL	Tax Increment	1,431,800.00	1,431,800.00	3,156.25	3,156.25	3,156.25	3,156.25	3,156.25	3,156.25	3,156.25	3,156.25	3,156.25	3,156.25	1,431,800.00		
70) Security Deposit Refund	Yea Chng. USA/Best Int	Tenant - 7690 Beach	Tenant Deposits	868.00	868.00	-	-	-	-	-	-	-	-	-	-	868.00		
71) Security Deposit Refund	Talitha Snapp	Tenant - 7102 Stanton	Tenant Deposits	545.00	545.00	-	-	-	-	-	-	-	-	-	-	545.00		
72) Security Deposit Refund	Moises & Maria Lopez	Tenant - 7052 Stanton	Tenant Deposits	2,645.00	2,645.00	-	-	-	-	-	-	-	-	-	-	2,645.00		
73) Security Deposit Refund	Sonic Automotive	Tenant - 6182 Auto Center	Tenant Deposits	5,004.40	5,004.40	-	-	-	-	-	-	-	-	-	-	5,004.40		
74) Security Deposit Refund	B&J Liquor/M. Salaluddin	Tenant - 8004-8010 Orange/Thorpe	Tenant Deposits	1,300.00	1,300.00	-	-	-	-	-	-	-	-	-	-	1,300.00		
75) Security Deposit Refund	CA Mexican Food/Nuygen	Tenant - 8012-8014 Orange/Thorpe	Tenant Deposits	1,000.00	1,000.00	-	-	-	-	-	-	-	-	-	-	1,000.00		
76) Security Deposit Refund	KST Computer/Syed Raza	Tenant - 8018-8018 Orange/Thorpe	Tenant Deposits	300.00	300.00	-	-	-	-	-	-	-	-	-	-	300.00		
77) Security Deposit Refund	Atisa My Barber/K. Degsher	Tenant - 8022-8024 Orange/Thorpe	Tenant Deposits	1,538.24	1,538.24	-	-	-	-	-	-	-	-	-	-	1,538.24		
78) Security Deposit Refund	Maria's Flowers/M. Torres	Tenant - 8028 Orange/Thorpe	Tenant Deposits	50,000.00	50,000.00	-	-	-	-	-	-	-	-	-	-	50,000.00		
79) Security Deposit Refund	Nachimban Church	Tenant - 8101 Stanton	Tenant Deposits	17,905.00	17,905.00	-	-	-	-	-	-	-	-	-	-	17,905.00		
80) Security Deposit Refund	Hurlbut Amusement Co.	Tenant - 7860 Western	Tenant Deposits	49,946.80	49,946.80	-	-	-	-	-	-	-	-	-	-	49,946.80		
PROPERTY MAINTENANCE																		
81) Property Maintenance	TruGreen	Landscape Services Agy Prop/MW/M	Low Mod/Tax Inc	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00		
82) Property Maintenance	A&S Sweeping	Parking Lot Sweeping Services-MW/M	Low Mod/Tax Inc	4,150.00	4,150.00	400.00	400.00	400.00	400.00	400.00	400.00	400.00	400.00	400.00	400.00	4,150.00		
83) Property Maintenance	Protection One	Alarm Services-MW/M	Low Mod/Tax Inc	4,384.88	4,384.88	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	4,384.88		
84) Property Maintenance	D&M Landscapes	Landscape Services - Various	Low Mod/Tax Inc	21,415.00	21,415.00	1,575.00	1,575.00	1,575.00	1,575.00	1,575.00	1,575.00	1,575.00	1,575.00	1,575.00	1,575.00	21,415.00		
85) Property Maintenance	Fujitsu	Elevator Services 6865 Aragon	Low Mod/Tax Inc	3,797.00	3,797.00	318.40	318.40	318.40	318.40	318.40	318.40	318.40	318.40	318.40	318.40	3,797.00		
86) Property Maintenance	Reliable Sweep	Parking Lot Sweeping Services	Low Mod/Tax Inc	2,100.00	2,100.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	2,100.00		
87) Property Maintenance/Repairs	D.Lopez/Various Vendors	Emergency Repairs	Low Mod/Tax Inc	70,860.57	70,860.57	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	70,860.57		
88) Property Utilities	City of Buena Park	Water Services	Low Mod/Tax Inc	43,200.52	43,200.52	-	-	-	-	-	-	-	-	-	-	43,200.52		
89) Property Utilities	AT&T	Telephone Services	Low Mod/Tax Inc	1,982.27	1,982.27	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	1,982.27		
90) Property Utilities	Fedison Co.	Electric Services	Low Mod/Tax Inc	60,000.00	60,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	60,000.00		
91) Property Utilities	The Gas Co.	Gas Services	Low Mod/Tax Inc	1,510.63	1,510.63	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	1,510.63		
92) Property Insurance	CA Ins. Pool Authority (CIPA)	Property Insurance	Low Mod/Tax Inc	8,533.27	8,533.27	-	-	-	-	-	-	-	-	-	-	8,533.27		
				Sub-Total	\$ 271,710.92	\$ 23,391.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40		
				Sub-Total	\$ 268,172,801.46	\$ 28,181,884.78	\$ 2,460,052.55	\$ 2,460,052.55	\$ 2,460,052.55	\$ 2,460,052.55	\$ 2,460,052.55	\$ 2,460,052.55	\$ 2,460,052.55	\$ 2,460,052.55	\$ 2,460,052.55	\$ 2,460,052.55		
				Sub-Total	\$ 271,710.92	\$ 23,391.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40	\$ 2,128,091.40		

Note: Payment amounts are estimates and subject to change.

Project Name / Debt Obligation	Payee	Description	Source of Funding	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by Month						Total	
						Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12		
CAPITAL IMPROVEMENT PROJECTS													
93) Crescent Avenue Sewer Study	Tetra Tech, Inc./Various	Sewer Study	Tax Increment	15,400.00	15,400.00	-	-	-	-	-	-	9,490.86	15,400.00
94) Artesia Undergrounding(Knott-Station)	Kimberly-Horn/All American	Utility Undergrounding	Tax Increment	1,000,000.00	1,000,000.00	-	-	1,000,000.00	-	-	-	-	1,000,000.00
95) Community Center/Police Reuse	Creme/Summit Builders/Var.	Community Center Construction	Tax Increment	3,190,675.00	3,190,675.00	773,170.59	-	-	-	-	-	-	3,190,675.00
96) City Yard Relocation	Howard Parcel/Various	Construction/Retrofit/Remediation	Low Mod.	5,789,811.88	5,789,811.88	611,614.36	613,765.15	400,000.00	400,000.00	-	-	-	5,789,811.88
97) Removed by Oversight Board	-	-	-	-	-	-	-	-	-	-	-	-	-
98) Tice House Acquisition/Improvements	HP Termite/Various	Acquisition/Construction	Tax Increment	58,972.00	58,972.00	-	-	48,111.87	-	-	-	-	58,972.00
99) Artesia - Knott to Station	Various Vendors	Street Improvements	Tax Increment	300,000.00	300,000.00	-	-	-	300,000.00	-	-	-	300,000.00
			Sub-Total	10,353,858.88	10,353,858.88	1,384,784.95	613,765.15	1,448,111.87	700,000.00	-	-	9,490.86	10,353,858.88
			GRAND TOTAL	\$ 539,969,101.62	\$ 39,299,598.12	\$ 3,536,267.75	\$ 1,532,911.94	\$ 3,801,467.50	\$ 2,132,506.60	\$ 2,563,332.80	\$ 17,979,432.90	\$ 58,218,639.42	

Note: Payment amounts are estimates and subject to change.



**DEPARTMENT OF
FINANCE**

EDMUND G. BROWN JR. - GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

April 26, 2012

Rick Warsinski, City Manager
City of Buena Park
6650 Beach Boulevard
Buena Park, CA 90622

Dear Mr. Warsinski:

Pursuant to Health and Safety Code (HSC) section 34177 (l) (2) (C), the City of Buena Park (City) Successor Agency submitted a Recognized Obligation Payment Schedule (ROPS) to the California Department of Finance (Finance) on April 11, 2012 for the period January through June 2012. Finance staff contacted you for clarification of items listed in the ROPS.

HSC section 34171 (d) lists enforceable obligation (EO) characteristics. Based on a sample of line items reviewed and application of the law, the following do not qualify as EOs:

- Item No. 100 – Match Grant of \$50,000. A California Department of Transportation grant was awarded on July 26, 2011 to the City in the amount of \$200,000. The City was to provide matching funds in the amount of \$50,000 for the Multi-Modal Mobility Action Plan. HSC section 34163 (b) prohibits these commitments to commence if valid contracts have not been entered into prior to June 28, 2011.

As authorized by HSC section 34179 (h), Finance is returning your ROPS for your reconsideration. This action will cause the specific ROPS items noted above to be ineffective until Finance approval. Furthermore, items listed on future ROPS will be subject to review and may be denied as EOs.

If you believe we have reached this conclusion in error, please provide further evidence that the items questioned above meet the definition of an EO.

Please direct inquiries to Chikako Takagi-Galamba, Supervisor or Wendy Griffe, Lead Analyst at (916) 322-2985.

Sincerely,

MARK HILL
Program Budget Manager

cc: May Hui, Economic Development Director, City of Buena Park
Scott Riordan, Project Manager, City of Buena Park
Melissa Dhauw, Administrative Analyst, City of Buena Park
Frank Davies, Orange County Auditor Controller

AMENDED RECOGNIZED OBLIGATION PAYMENT SCHEDULE
July - December 2012
 Per AB 26 - Section 34177

Project Name / Debt Obligation	Payee	Description	Source of Funding	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013	Monthly Payments					Total	
						Jul-12	Aug-12	Sep-12	Oct-12	Nov-12		Dec-12
BONDS												
1) 2000 Tax Allocation Bonds	Union Bank	Bonds-Housing & Non-Housing Projects	Low Mod/Tax Inc.	1,578,930.00	789,190.00	-	-	-	-	-	-	789,190.00
2) 2003 Tax Allocation Bonds	Union Bank	Bonds-Housing & Non-Housing Projects	Low Mod/Tax Inc.	20,029,910.00	1,668,587.50	-	-	-	-	-	-	1,668,587.50
3) 2008 Tax Allocation Bonds, Series A	Union Bank	Bonds-Housing & Non-Housing Projects	Tax Increment	92,885,700.52	2,689,457.50	-	-	-	-	-	-	2,689,457.50
4) 2008 Tax Allocation Bonds, Series B	Union Bank	Bonds-Housing & Non-Housing Projects	Tax Increment	33,605,677.84	2,047,419.86	-	-	-	-	-	-	2,047,419.86
			Sub-Total	\$ 148,099,920.06	\$ 7,402,574.86	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7,402,574.86
PASS-THROUGH AGREEMENTS												
5) 21d) Pass-through Agreements	Various Agencies	PAID DIRECTLY BY AUDITOR-CONTROLLER	Tax Increment	-	-	-	-	-	-	-	-	-
			Sub-Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OTHER/CONTRACTUAL OBLIGATIONS												
22) Property Taxes	O.C. Tax Treasurer	Property Taxes for Agency Properties	Low Mod/Tax Inc	25,219.23	25,219.23	-	-	-	-	-	-	25,219.23
* 23) Judgment-Jonathan Lehrer-Gralwer	Housing Set-Aside Fund	Affordable Housing Requirements	Low Mod.	103,824,907.80	5,602,557.04	458,546.42	458,546.42	458,546.42	458,546.42	458,546.42	458,546.42	5,602,557.04
24) Pending Lawsuit	Gragston vs. Agency	Potential Settlement	Tax Increment	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
25) Personnel and Operating Costs	City of Buena Park	Admin., Personnel, Fac., & Oper. Costs	Tax Increment	203,800.00	93,460.00	18,938.33	18,938.33	18,938.33	18,938.33	18,938.33	18,938.33	93,460.00
26) Beach/Oceanhome Project	Employee Costs	Project Management	Tax Increment	86,370.00	86,370.00	7,788.33	7,788.33	7,788.33	7,788.33	7,788.33	7,788.33	86,370.00
* 27) Jamboree Housing Project	Employee Costs	Project Management	Tax Increment	78,810.00	78,810.00	7,187.50	7,187.50	7,187.50	7,187.50	7,187.50	7,187.50	78,810.00
* 28) Property Management/Maintenance	Employee Costs	Property/Maintenance Management	Low Mod/Tax Inc	86,370.00	86,370.00	7,187.50	7,187.50	7,187.50	7,187.50	7,187.50	7,187.50	86,370.00
29) Affordable Housing Management	Employee Costs	Affordable Housing Monitoring	Low Mod/Tax Inc	78,810.00	78,810.00	6,587.50	6,587.50	6,587.50	6,587.50	6,587.50	6,587.50	78,810.00
30) Employee Costs-Accrued Leave	Employee Costs	Affordable Housing Monitoring	Low Mod/Tax Inc	53,870.00	53,870.00	4,472.50	4,472.50	4,472.50	4,472.50	4,472.50	4,472.50	53,870.00
31) Employee Retirement Costs	CalPERS	Accrued Leave Liability	Tax Increment	540,238.21	540,238.21	-	-	-	-	-	-	540,238.21
* 32) Developer Disposition Agreement	Buena Park Mail	CalPERS Unfunded Liability	Tax Increment	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
* 33) Developer Disposition Agreement	GDW	Tax Increment Reimbursement	Tax Increment	9,172,489.55	266,794.00	-	-	84,194.00	-	-	-	266,794.00
* 34) Developer Disposition Agreement	CarMax	Tax Increment Reimbursement	Tax Increment	72,807,284.64	4,407,500.00	-	-	1,101,875.00	-	-	-	4,407,500.00
* 35) Developer Disposition Agreement	The Source	Tax Increment Reimbursement	Tax Increment	747,554.64	364,860.80	-	-	81,185.20	-	-	-	364,860.80
37) Property Tax Administration	HLL	Tax Increment Reimbursement	Tax Increment	59,170,000.00	0.00	-	-	-	-	-	-	0.00
39) (Entertain/Comdor (Ezone) Action Plan	Richard, Watson, Gershon	Property & Sales Tax Admin. Costs	Tax Increment	5,000.00	5,000.00	-	-	1,250.00	-	-	-	5,000.00
44) The Source Project Legal Services	Richard, Watson, Gershon	Bond Proceeds for Design & Streetscape	Tax Increment	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
47) Bond Consulting Services	Willdan Financial Services	Project Legal Services	Tax Increment	12,000.00	12,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	12,000.00
48) General Legal Services	Richard, Watson, Gershon	Arbitrage Calculation for Bonds	Tax Increment	20,000.00	20,000.00	-	-	-	-	-	-	20,000.00
49) Legal Services - Lawsuit	Richard, Watson, Gershon	Legal Services - General	Tax Increment	30,000.00	30,000.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	30,000.00
51) Buena Park CFD	David Tausig & Associates	Legal Services-Gregorian vs. Agency	Tax Increment	50,700.00	50,700.00	4,225.00	4,225.00	4,225.00	4,225.00	4,225.00	4,225.00	50,700.00
53) Bond Servicing	Suzanne Harrell & Assoc.	Bond Servicing	CFD Assess.	12,000.00	12,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	12,000.00
55) Office Equip Maintenance	Konica Minolta	Bonds Servicing - Annual Reports	Tax Increment	2,500.00	2,500.00	-	-	-	-	-	-	2,500.00
57) Auditing Services	Teamam, Ramirez & Smith	Complex Lease	Tax Increment	4,800.00	4,800.00	400.00	400.00	400.00	400.00	400.00	400.00	4,800.00
59) ENA Deposit	City Ventures	Auditing Services	Tax Increment	8,900.00	8,900.00	-	-	-	-	-	-	8,900.00
62) ENA Deposit	GMP/Perseke	Reimbursement of Good Faith Deposit	Dev. Deposits	105,000.00	105,000.00	-	-	-	-	-	-	105,000.00
64) Property Demolitions	Winzler & Kelly	Reimbursement of Good Faith Deposit	Dev. Deposits	50,000.00	50,000.00	-	-	-	-	-	-	50,000.00
65) Property Demolitions	Demolition Contractor	Engineering Services - Demo Specs	Low Mod/Tax Inc	230,400.00	230,400.00	-	-	230,400.00	-	-	-	230,400.00
66) Property Demolitions	SCS Engineering	Demolition Contractor Services	Low Mod/Tax Inc	1,693,788.00	1,693,788.00	-	-	-	-	-	-	1,693,788.00
67) Tenant Relocations	Various Tenants	Demolition of Tenants	Low Mod/Tax Inc	63,160.00	63,160.00	-	-	-	-	-	-	63,160.00
68) Relocation Services	California Property Spec.	Relocation of Tenants	Low Mod/Tax Inc	1,201,800.00	1,201,800.00	-	-	-	-	-	-	1,201,800.00
69) Environmental Remediation	SCS Env./Various Cont.	Relocation Consultant Services	Low Mod/Tax Inc	30,000.00	30,000.00	-	-	-	-	-	-	30,000.00
		Environ. Remediation-City/GRL	Tax Increment	1,450,826.00	1,450,826.00	-	-	-	-	-	-	1,450,826.00

Note: Payment amounts are estimates and subject to change.

Project Name / Debt Obligation	Payee	Description	Source of Funding	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Monthly Payments					Total	
						Jul-12	Aug-12	Sep-12	Oct-12	Nov-12		Dec-12
71) Security Deposit Refund	Tabitha Snapp	Tenant - 7102 Stanton	Tenant Deposits	868.00	868.00	-	-	-	-	-	-	868.00
72) Security Deposit Refund	Moises & Maria Lopez	Tenant - 7062 Stanton	Tenant Deposits	545.00	545.00	-	-	-	-	-	-	545.00
73) Security Deposit Refund	Sonic Automotive	Tenant - 6162 Auto Center	Tenant Deposits	2,845.00	2,845.00	-	-	-	-	-	-	2,845.00
74) Security Deposit Refund	B&J Liquor/M. Salahuddin	Tenant - 8004-8010 Orangeflhorpe	Tenant Deposits	5,004.40	5,004.40	-	-	-	-	-	-	5,004.40
75) Security Deposit Refund	CA Mexican Food/Myuyen	Tenant - 8012-8014 Orangeflhorpe	Tenant Deposits	1,300.00	1,300.00	-	-	-	-	-	-	1,300.00
76) Security Deposit Refund	KST Computer/Syed Raza	Tenant - 8016-8018 Orangeflhorpe	Tenant Deposits	1,000.00	1,000.00	-	-	-	-	-	-	1,000.00
77) Security Deposit Refund	A'Sa My Babbar/K. Daggubar	Tenant - 8022-8024 Orangeflhorpe	Tenant Deposits	300.00	300.00	-	-	-	-	-	-	300.00
78) Security Deposit Refund	Maria's Flowers/M. Torres	Tenant - 8028 Orangeflhorpe	Tenant Deposits	1,536.24	1,536.24	-	-	-	-	-	-	1,536.24
78) Security Deposit Refund	Nachimbarr Church	Tenant - 8101 Stanton	Tenant Deposits	50,000.00	50,000.00	-	-	-	-	-	-	50,000.00
Sub-Total						\$ 1,165,128.96	\$ 553,007.56	\$ 1,717,861.56	\$ 874,633.76	\$ 1,652,045.56	\$ 5,216,449.81	\$ 10,950,121.32
PROPERTY MAINTENANCE												
81) Property Maintenance	TroGreen	Landscape Services Agry Prop/MWM	Low Mod/Tax Inc	54,000.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00	27,000.00
82) Property Maintenance	A&S Sweeping	Parking Lot Sweeping Services-MWM	Low Mod/Tax Inc	4,800.00	400.00	400.00	400.00	400.00	400.00	400.00	400.00	2,400.00
83) Property Maintenance	Protection One	Alarm Services-MWM	Low Mod/Tax Inc	4,800.00	-	1,200.00	-	-	-	-	-	1,200.00
84) Property Maintenance	DBM Landscape	Landscape Services - Various	Low Mod/Tax Inc	24,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	12,000.00
86) Property Maintenance	Reliable Sweep	Parking Lot Sweeping Services	Low Mod/Tax Inc	2,400.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	1,200.00
87) Property Maintenance/Repairs	Various Vendors	Emergency Repairs	Low Mod/Tax Inc	120,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00	80,000.00
88) Property Utilities	City of Buena Park	Water Services	Low Mod/Tax Inc	48,000.00	8,000.00	-	-	-	-	-	-	8,000.00
89) Property Utilities	AT&T	Telephone Services	Low Mod/Tax Inc	2,400.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	1,200.00
90) Property Utilities	Edison Co.	Electric Services	Low Mod/Tax Inc	72,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	36,000.00
91) Property Utilities	The Gas Co.	Gas Services	Low Mod/Tax Inc	2,400.00	200.00	200.00	200.00	200.00	200.00	200.00	200.00	1,200.00
92) Property Insurance	CA Ins. Pool Authority (CIPA)	Property Insurance	Low Mod/Tax Inc.	9,386.80	9,386.80	-	-	-	-	-	-	9,386.80
Sub-Total						\$ 344,186.80	\$ 34,186.80	\$ 24,700.00	\$ 31,500.00	\$ 23,500.00	\$ 32,700.00	\$ 176,766.60
CAPITAL IMPROVEMENT PROJECTS												
98) Time House Acquisition/Improvements	HP, Termites/Various	Acquisition/Construction	Tax Increment	48,111.87	48,111.87	-	-	-	-	-	-	48,111.87
Sub-Total						\$ 48,111.87	\$ 48,111.87	\$ -	\$ -	\$ -	\$ -	\$ 48,111.87
GRAND TOTAL						\$ 490,289,765.04	\$ 24,413,015.25	\$ 1,219,018.59	\$ 894,507.56	\$ 1,742,581.56	\$ 1,675,545.56	\$ 7,393,049.11

* Each of the following items has been initially rejected by the Department of Finance (DOF) as being eligible for payment. The reasons for the Successor Agency contesting the DOF objects is stated below. The Successor Agency hereby preserves its right to appeal the Department of Finance decision on each item at every appropriate level including litigation in the court system.

Item 23 - Judgment-Jonathan Lehrer-Grauer - Per AB X1 26, Section 34187(d)(4) "Judgments or settlements entered by a competent court of law" are considered enforceable obligations. Date of judgment - April 1993.

Item 27 - Jamboree Housing Project - Employee Costs for Project Management. There is still an ongoing obligation of the Successor Agency to make sure the project is constructed as planned. Per the DOF Q & A regarding common dissolution issues: "Generally employees working on specific project implementation activities such as construction inspection, project management or actual construction would not be viewed by Finance as 'administrative'."

Item 28 - Property Management/Maintenance - Employee Costs. This item involves taking care of 45 properties covering more than 33 acres of land that were purchased by the former Redevelopment Agency. Many of the sites are vacant with buildings; vacant properties that need maintenance; or have tenants that we have to manage. The vacant buildings and properties have become a nuisance in the City and have been the target of vandalism, graffiti, break-ins, and squatters. As a result property management has been key to maintaining the properties so they do not negatively impact the neighboring properties as well as the City.

Item 32 - Developer Disposition Agreement - Buena Park Mall. DOF requested contracts between the Mall Developer and their contractor. The Agency was not a party to the contracts. The original Agreement (called Reimbursement for Public Improvements and Pledge Agreement) was executed in May 2002 and Amended in July/August 2003.

Item 33 - Developer Disposition Agreement - CDW. DOF requested copies of the construction contracts. The Agency was not a party to the construction contracts. The Participation Agreement was executed in February 2006. CDW moved into an existing building and did tenant improvements to start their operations. Project management was not necessary for this project.

Item 34 - Developer Disposition Agreement - CarMax. DOF requested copies of the construction contracts. The CarMax project was a public/private partnership and the Agency was not a party to the construction contracts. The former Redevelopment Agency's responsibility was to assemble the properties and assure a car dealership was developed on the site. This Agreement was executed in November of 1997 and amended in 1998, 1999 and 2003.

Item 35 - Developer Disposition Agreement - The Source. DOF requested a budget and breakdown of costs. The Agency was executed in October of 2010. As per the Schedule of Performance in the DDA, the budget and breakdown of costs will be submitted by the developer when the construction drawings are completed and plan checked by the City.



May 7, 2012

Rick Warsinski, City Manager
 City of Buena Park
 6650 Beach Boulevard
 Buena Park, CA 90622

Dear Mr. Warsinski:

Pursuant to Health and Safety Code (HSC) section 34177 (l) (2) (C), the City of Buena Park (City) Successor Agency submitted a Recognized Obligation Payment Schedule (ROPS) to the California Department of Finance (Finance) on April 24, 2012 for the period July through December 2012. Finance staff contacted you for clarification of items listed in the ROPS.

HSC section 34171 (d) lists enforceable obligation (EO) characteristics. Based on a sample of line items reviewed and application of the law, the following do not qualify as EOs:

- Item No. 23 -- Judgment-Jonathan Lehrer-Graiver of \$104 million. The judgment is not an EO. The requirement to set aside 20 percent of RDA tax increment for low and moderate income housing purposes ended with the passing of the redevelopment dissolution legislation. Because there no longer are such taxes allocated to the Agency, there is no payment obligation.
- Item No. 100 – Match Grant of \$50,000. A California Department of Transportation grant was awarded on July 26, 2011 to the City in the amount of \$200,000. The City was to provide matching funds in the amount of \$50,000 for the Multi-Modal Mobility Action Plan. HSC section 34163 (b) prohibits these commitments to commence if valid contracts have not been entered into prior to June 28, 2011.
- Sufficient documentation to support the following projects and/or debt obligations, totaling \$142 million, was not provided.

Item No	Page	Project Name / Debt Obligation	Payee	Amount
27	1	Jamboree Housing Project	Employee Costs	\$86,370
28	1	Property Management/Maintenance	Employee Costs	78,810
32	1	Developer Disposition Agreement	Buena Park Mall	9,172,490
33	1	Developer Disposition Agreement	CDW	72,807,285
34	1	Developer Disposition Agreement	CarMax	747,555
35	1	Developer Disposition Agreement	The Source	59,170,000
			Total	\$ 142,062,509

As authorized by HSC section 34179 (h), Finance is returning your ROPS for your reconsideration. This action will cause the specific ROPS items noted above to be ineffective until Finance approval. Furthermore, items listed on future ROPS will be subject to review and may be denied as EOs.

Mr. Warsinski
May 7, 2012
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Department of Finance may continue to review items on the ROPS in addition to those mentioned above and identify additional issues. We will provide separate notice if we are requesting further modifications to the ROPS. It is our intent to provide an approval notice with regard to each ROPS prior to the June 1 property tax distribution date.

If you believe we have reached this conclusion in error, please provide further evidence that the items questioned above meet the definition of an EO and submit to the following email address:

Redevelopment_Administration@dof.ca.gov

Please direct inquiries to Chikako Takagi-Galamba, Supervisor or Wendy Griffe, Lead Analyst at (916) 322-2985.

Sincerely,



MARK HILL
Program Budget Manager

cc: May Hul, Economic Development Director, City of Buena Park
Scott Riordan, Project Manager, City of Buena Park
Melissa Dhauw, Administrative Analyst, City of Buena Park
Frank Davies, Orange County Auditor Controller