



April 9, 2019

Mr. Aaron Felmlee, Finance Director
City of Fortuna
P.O. Box 545
Fortuna, CA 95540

Dear Mr. Felmlee:

Subject: 2019-20 Annual Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (o) (1), the City of Fortuna Successor Agency (Agency) submitted an annual Recognized Obligation Payment Schedule for the period of July 1, 2019 through June 30, 2020 (ROPS 19-20) to the California Department of Finance (Finance) on January 17, 2019. Finance has completed its review of the ROPS 19-20.

Based on a sample of line items reviewed and application of the law, Finance made the following determinations:

- Item No. 6 – City loan repayment in the amount of \$150,000 is partially allowed. HSC section 34191.4 (b) (3) (A) allows repayment to be equal to one-half of the increase between the ROPS residual pass-through distributed to the taxing entities in the preceding fiscal year and the ROPS residual pass-through distributed to the taxing entities in the fiscal year 2012-13 base year.

According to the Humboldt County, County Auditor-Controller's (CAC) report, the ROPS residual pass-through amount distributed to the taxing entities for fiscal year 2012-13 and 2018-19 are \$173,080 and \$188,873, respectively. Pursuant to the repayment formula, the maximum repayment amount authorized for the ROPS 19-20 period is \$7,897. Therefore, of the \$150,000 requested, \$142,103 (\$150,000 - \$7,897) is not eligible for Redevelopment Property Tax Trust Fund (RPTTF). The Agency may be eligible for additional funding on subsequent ROPS.

- The CAC did not provide its review of the Agency's reported differences between actual payments and past estimated obligations for the July 1, 2016 through June 30, 2017 (ROPS 16-17) period as required by HSC section 34186. On the ROPS 19-20 form, the Agency reported cash balances and activity for ROPS 16-17. Therefore, we reviewed ROPS 16-17 expenditures. According to our review, the Agency has no prior period adjustment but does have approximately \$11,604 from Other Funds available to fund enforceable obligations on the ROPS 19-20. HSC section 34177 (l) (1) (E) requires these balances to be used prior to requesting RPTTF. Therefore, with the Agency's concurrence, the funding source for the following item has been reclassified in the amount specified below:
 - Item No. 12 – 2018 Tax Allocation Refunding bonds in the amount of \$893,632 is partially reclassified from RPTTF to Other Funds. This item does not require payment from property tax revenues. Therefore, Finance is approving RPTTF in the amount of \$882,028 and the use of Other Funds in the amount of \$11,604, totaling \$893,632.

- The administrative costs claimed are within the fiscal year administrative cap pursuant to HSC section 34171 (b) (3). However, Finance notes the Oversight Board (OB) has approved an amount that appears excessive, given the number and nature of the obligations listed on the ROPS. HSC section 34179 (i) requires the OB to exercise a fiduciary duty to the taxing entities. Therefore, Finance encourages the OB to apply adequate oversight when evaluating the administrative resources necessary to successfully wind-down the Agency.

Except for the items adjusted, Finance is not objecting to the remaining items listed on the ROPS 19-20. If the Agency disagrees with our determination with respect to any items on the ROPS 19-20, except items which are the subject of litigation disputing our previous or related determinations, the Agency may request a Meet and Confer within five business days of the date of this letter. The Meet and Confer process and guidelines are available on our website:

<http://dof.ca.gov/Programs/Redevelopment/Meet And Confer/>

The Agency's maximum approved RPTTF distribution for the reporting period is \$722,031 as summarized in the Approved RPTTF Distribution table on Page 4 (see Attachment).

RPTTF distributions occur biannually, one distribution for the July 1 through December 31 period (ROPS A period), and one distribution for the January 1 through June 30 period (ROPS B period) based on Finance approved amounts. Since this determination is for the entire ROPS 19-20 period, the Agency is authorized to receive up to the maximum approved RPTTF through the combined ROPS A and B period distributions.

Absent a Meet and Confer, this is our final determination regarding the obligations listed on the ROPS 19-20. This determination only applies to items when funding was requested for the 12-month period. If a denial by Finance in a previous ROPS is currently the subject of litigation, the item will continue to be denied until the matter is resolved.

The ROPS 19-20 form submitted by the Agency and this determination letter will be posted on our website:

<http://dof.ca.gov/Programs/Redevelopment/ROPS/>

This determination is effective for the ROPS 19-20 period only and should not be conclusively relied upon for future ROPS periods. All items listed on a future ROPS are subject to review and may be denied even if not denied on this ROPS or a preceding ROPS. The only exception is for items that have received a Final and Conclusive determination from Finance pursuant to HSC section 34177.5 (i). Finance's review of Final and Conclusive items is limited to confirming the scheduled payments as required by the obligation.

The amount available from RPTTF is the same as the amount of property tax increment available prior to the enactment of redevelopment dissolution law. Therefore, as a practical matter, the ability to fund the items on the ROPS with property tax increment is limited to the amount of funding available to the Agency in RPTTF.

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Please direct inquiries to Cindie Lor, Supervisor, or Mathew Rios, Analyst, at (916) 322-2985.

Sincerely,



JENNIFER WHITAKER
Program Budget Manager

cc: Ms. Siana L. Emmons, City Clerk, City of Fortuna
Ms. Karen Paz Dominguez, Auditor-Controller, Humboldt County

Attachment

Approved RPTTF Distribution			
For the period of July 1, 2019 through June 30, 2020			
	ROPS A Period	ROPS B Period	ROPS 19-20 Total
RPTTF Requested	\$ 150,000	\$ 525,738	\$ 675,738
Administrative RPTTF Requested	100,000	100,000	200,000
Total RPTTF Requested	250,000	625,738	875,738
RPTTF Requested	150,000	525,738	675,738
<u>Adjustments</u>			
Item No. 6	(142,103)	0	(142,103)
Item No. 12	0	(11,604)	(11,604)
	(142,103)	(11,604)	(153,707)
RPTTF Authorized	7,897	514,134	522,031
Administrative RPTTF Authorized	100,000	100,000	200,000
Total RPTTF Authorized for Obligations	107,897	614,134	722,031
Prior Period Adjustment	0	0	0
Total RPTTF Approved for Distribution	\$ 107,897	\$ 614,134	\$ 722,031