



Transmitted via e-mail

March 27, 2020

Conrad Avila, Accountant
City of Carlsbad
1635 Faraday Ave
Carlsbad, CA 92008

2020-21 Annual Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (o) (1), the City of Carlsbad Successor Agency (Agency) submitted an annual Recognized Obligation Payment Schedule for the period of July 1, 2020 through June 30, 2021 (ROPS 20-21) to the California Department of Finance (Finance) on January 23, 2020. Finance has completed its review of the ROPS 20-21.

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

- Item No. 2 - Redevelopment Loans (Village & SCCRA) in the total outstanding amount of \$7,255,237 is overstated and the requested amount of \$3,814,741 is partially allowed. Pursuant to HSC section 34191.4 (b) (3), interest on the remaining outstanding principal amount of the loan shall be recalculated from the date of origination of the loan on a quarterly basis, at a simple interest rate of three percent and repayments shall be applied first to principal, and second to interest. After recalculating interest, the outstanding loan balance reported on the Agency's ROPS Detail Form has been reduced by \$3,760,819 to \$3,494,418. As a result, the Agency's current ROPS request of \$3,814,741 has been reduced to \$3,494,418 to only allow the funds necessary to fulfill this obligation. Therefore, \$320,323 is not eligible for Redevelopment Property Tax Trust Fund (RPTTF) funds.

It is our understanding, the Agency's calculation for loans outstanding includes a loan that does not have the Agency's Oversight Board's (OB) approval, as required by HSC section 34191.4 (b).

- On the ROPS 20-21 form, the Agency reported cash balances and activity for the period July 1, 2017 through June 30, 2018 (ROPS 17-18). According to our review, the Agency has approximately \$37,244 from Other Funds available to fund enforceable obligations on the ROPS 20-21. HSC section 34177 (l) (1) (E) requires these balances to be used prior to requesting RPTTF. Item No. 1 does not require payment from property tax revenues; therefore, the funding source has been reclassified in the amount specified on the following page:

- Item No. 1 – 1993 Tax Allocation Refunding Bonds in the amount of \$1,028,706 is partially reclassified. Therefore, Finance is approving RPTTF in the amount of \$972,905 and the use of Other Funds in the requested amount of \$18,557 plus the reclassified amount of \$37,244, totaling \$1,028,706.
- The administrative costs claimed are within the fiscal year administrative cap pursuant to HSC section 34171 (b) (3). However, Finance notes the 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.

Pursuant to HSC section 34186, successor agencies are required to report differences between actual payments and past estimated obligations. Reported differences in RPTTF are used to offset current RPTTF distributions. The amount of RPTTF authorized includes the prior period adjustment resulting from the County Auditor Controller's review of the prior period adjustment form submitted by the Agency.

The Agency's maximum approved RPTTF distribution for the reporting period is \$4,639,500, as summarized in the Approved RPTTF Distribution table (see Attachment).

RPTTF distributions occur biannually, one distribution for the July 1, 2020 through December 31, 2020 period (ROPS A period), and one distribution for the January 1, 2021 through June 30, 2021 period (ROPS B period), based on Finance's approved amounts. Since this determination is for the entire ROPS 20-21 period, the Agency is authorized to receive up to the maximum approved RPTTF through the combined ROPS A and B period distributions.

Except for the items adjusted, Finance is not objecting to the remaining items listed on the ROPS 20-21. If the Agency disagrees with our determination with respect to any items on the ROPS 20-21, 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 must use the RAD App to complete and submit its Meet and Confer request form.

Absent a Meet and Confer, this is our final determination regarding the obligations listed on the ROPS 20-21. 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 deemed denied until the matter is resolved.

The ROPS 20-21 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 20-21 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 the RPTTF is the same as the amount of property tax increment available prior to the enactment of the 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 the RPTTF.

Please direct inquiries to Mindy Patterson, Supervisor, or Mark-Anthony Lacy, Staff, at (916) 322-2985.

Sincerely,

Original signed by Cheryl L. McCormick for:

JENNIFER WHITAKER
Program Budget Manager

cc: Ryan Green, Assistant Finance Director, City of Carlsbad
Jon Baker, Senior Auditor and Controller Manager, San Diego County

Approved RPTTF Distribution July 2020 through June 2021			
	ROPS A	ROPS B	ROPS 20-21 Total
RPTTF Requested	\$ 4,752,367	\$ 75,523	\$ 4,827,890
Administrative RPTTF Requested	101,339	101,339	202,678
Total RPTTF Requested	4,853,706	176,862	5,030,568
RPTTF Requested	4,752,367	75,523	4,827,890
<u>Adjustments</u>			
Item No. 1	(37,244)	0	(37,244)
Item No. 2	(320,323)	0	(320,323)
	(357,567)	0	(357,567)
RPTTF Authorized	4,394,800	75,523	4,470,323
Administrative RPTTF Authorized	101,339	101,339	202,678
ROPS 17-18 prior period adjustment (PPA)	(33,501)	0	(33,501)
Total RPTTF Approved for Distribution	\$ 4,462,638	\$ 176,862	\$ 4,639,500