



Transmitted via e-mail

March 23, 2021

Antony Lopez , City Manager
City of Avenal
919 Skyline Boulevard
Avenal, CA 93204

2021-22 Annual Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (o) (1), the City of Avenal Successor Agency (Agency) submitted an annual Recognized Obligation Payment Schedule for the period July 1, 2021 through June 30, 2022 (ROPS 21-22) to the California Department of Finance (Finance) on January 15, 2021. Finance has completed its review of the ROPS 21-22.

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

- Item 9 - Assessor's Parcel Number 040-103-009-000 property disposition error in the total outstanding amount of \$11,500 is not allowed. Finance continues to deny this item. No new documentation was provided for ROPS 21-22. Based on the previous documents provided, this obligation does not meet the definition of an enforceable obligation outlined under dissolution statutes, and the request is inconsistent with the approved Long Range Property Management Plan, which shall govern. Therefore, the requested amount of \$11,500 is not allowed from Redevelopment Property Tax Trust Fund (RPTTF) funding.
- The claimed administrative costs exceed the allowance by \$25,007. HSC section 34171 (b) (3) limits the fiscal year Administrative Cost Allowance (ACA) to three percent of actual RPTTF distributed in the preceding fiscal year or \$250,000, whichever is greater; not to exceed 50 percent of the RPTTF distributed in the preceding fiscal year. As a result, the Agency's maximum ACA is \$137,293 for fiscal year 2021-22. Although \$162,300 is claimed for ACA, only \$137,293 is available pursuant to the cap. Therefore, as noted in the table on the following page, \$25,007 in excess ACA is not allowed:

Administrative Cost Allowance (ACA) Calculation	
Actual RPTTF distributed for fiscal year 2020-21	\$409,503
Less distributed Administrative RPTTF	(134,918)
RPTTF distributed for 2020-21 after adjustments	\$274,585
ACA Cap for 2021-22 per HSC section 34171 (b)	\$137,293
ACA requested for 2021-22	\$162,300
ACA in Excess of the Cap	\$25,007

- On the ROPS 21-22 form, the Agency reported cash balances and activity for ROPS 18-19. According to our review, the Agency has approximately \$64,978 from Other Funds available to fund enforceable obligations on the ROPS 21-22. HSC section 34177 (l) (1) (E) requires these balances to be used prior to requesting RPTTF funding. This item does not require payment from property tax revenues; therefore, with the Agency's concurrence, the funding source for the following item has been reclassified in the amount specified below:
 - Item No. 6 – Administrative Costs in the amount of \$137,293 is partially reclassified. Finance is approving Administrative RPTTF in the amount of \$72,315 and the use of Other Funds in the amount of \$64,978, totaling \$137,293.
- Pursuant to HSC section 34186, successor agencies are required to report differences between actual payments and past estimated obligations (prior period adjustments) for the July 1, 2018 through June 30, 2019 (ROPS 18-19) period. The ROPS 18-19 prior period adjustment (PPA) will offset the ROPS 21-22 RPTTF distribution. The amount of RPTTF authorized includes the PPA resulting from the County Auditor-Controller's review of the PPA form submitted by the Agency, as adjusted by Finance. Specifically, Finance adjusted the authorized amount of Administrative Costs, to include \$204,157, the amount authorized by Finance in ROPS 18-19. As the Agency only expended actual Administrative Costs of \$160,163, the difference of \$43,994 results in a PPA.

The Agency's maximum approved RPTTF distribution for the reporting period is \$372,620, as summarized in the Approved RPTTF Distribution table (see Attachment).

RPTTF distributions occur biannually, one distribution for the July 1, 2021 through December 31, 2021 period (ROPS A period), and one distribution for the January 1, 2022 through June 30, 2022 period (ROPS B period), based on Finance's approved amounts. Since this determination is for the entire ROPS 21-22 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 adjusted items, Finance does not object to the remaining items listed on the ROPS 21-22. If the Agency disagrees with our determination with respect to any items on the ROPS 21-22, 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 21-22. This determination only applies to items when funding was requested for the 12-month period. If a determination by Finance in a previous ROPS is currently the subject of litigation, the item will continue to reflect the determination until the matter is resolved.

The ROPS 21-22 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 21-22 period only and should not be conclusively relied upon for future ROPS periods. All items listed on a future ROPS are subject to Finance's review and may be adjusted even if not adjusted 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 Todd Vermillion, Supervisor, or Preston Saitta, Staff, at (916) 322-2985.

Sincerely,

Original signed by Cheryl L. McCormick for:

JENNIFER WHITAKER
Program Budget Manager

cc: Griselda Price, Interim Director of Administrative Services, City of Avenal
James Erb, Director of Finance, Kings County

Approved RPTTF Distribution July 2021 through June 2022			
	ROPS A	ROPS B	Total
RPTTF Requested	\$ 317,174	\$ 38,625	\$ 355,799
Administrative RPTTF Requested	81,150	81,150	162,300
Total RPTTF Requested	398,324	119,775	518,099
RPTTF Requested	317,174	38,625	355,799
<u>Adjustment(s)</u>			
Item No. 9	(11,500)	0	(11,500)
RPTTF Authorized	305,674	38,625	344,299
Administrative RPTTF Requested	81,150	81,150	162,300
<u>Adjustment(s)</u>			
Item No. 6	(64,978)	0	(64,978)
Adjusted Administrative RPTTF	16,172	81,150	97,322
Excess Administrative Costs	0	(25,007)	(25,007)
Administrative RPTTF Authorized	16,172	56,143	72,315
ROPS 18-19 prior period adjustment (PPA)	(43,994)	0	(43,994)
Total RPTTF Approved for Distribution	\$ 277,852	\$ 94,768	\$ 372,620