



Transmitted via e-mail

April 9, 2021

Laurie Smith, Administrative Services Officer
City of Modesto
1010 Tenth Street
Modesto, CA 95354

2021-22 Annual Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (o) (1), the City of Modesto 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 29, 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 No. 2 – Reimbursement Agreement - MPF 2008 Lease Revenue Bonds. The Agency requested \$1,344,040 from Redevelopment Property Tax Trust Fund (RPTTF) funding in error. According to the support provided by the Agency, the amount requested for the ROPS 21-22 period should be \$1,357,793. Therefore, to accurately reflect the correct debt service payments, Finance made an adjustment in the amount of \$13,753.
- Item Nos. 7 and 22 – City Loans in the respective total outstanding amounts of \$295,000 and \$7,408,500 are not allowed. Pursuant to HSC section 34191.4 (b), loan agreements between the former Redevelopment Agency and sponsoring entity may be placed on the ROPS if the following requirements are met: (1) the Agency has received a Finding of Completion; and (2) the Agency's Oversight Board (OB) approves the loan as an enforceable obligation by finding the loan was for legitimate redevelopment purposes. The Agency received a Finding of Completion on April 26, 2013. However, the Agency has not submitted an OB Resolution to Finance, specifically approving Item Nos. 7 and 22. Therefore, the requested amounts of \$295,000 and \$1,500,000 are ineligible for RPTTF funding at this time.

- On the ROPS 21-22 form, the Agency reported cash balances and activity for the period July 1, 2018 through June 30, 2019 (ROPS 18-19). According to our review, the Agency has approximately \$238,654 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. 2 – Reimbursement Agreement - MPF 2008 Lease Revenue Bonds in the amount of \$1,357,793, which includes the adjustment noted above, is partially reclassified. Finance is approving RPTTF in the amount of \$1,119,139 and the use of the available Other Funds in the amount of \$238,654, totaling \$1,357,793.

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.

The Agency's maximum approved RPTTF distribution for the reporting period is \$2,745,558, 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 from 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 Joshua Mortimer, Supervisor, or Hadiqa Munir, Staff, at (916) 322-2985.

Sincerely,

Original signed by Cheryl L. McCormick for:

JENNIFER WHITAKER
Program Budget Manager

cc: Stephan Christensen, Budget Manager, City of Modesto
Kashmir Gill, Auditor-Controller, Stanislaus County

Approved RPTTF Distribution July 2021 through June 2022			
	ROPS A	ROPS B	Total
RPTTF Requested	\$ 2,853,232	\$ 1,985,233	\$ 4,838,465
Administrative RPTTF Requested	67,469	67,469	134,938
Total RPTTF Requested	2,920,701	2,052,702	4,973,403
RPTTF Requested	2,853,232	1,985,233	4,838,465
<u>Adjustment(s)</u>			
Item No. 2	(238,654)	13,753	(224,901)
Item No. 7	(147,500)	(147,500)	(295,000)
Item No. 22	(750,000)	(750,000)	(1,500,000)
	(1,136,154)	(883,747)	(2,019,901)
RPTTF Authorized	1,717,078	1,101,486	2,818,564
Administrative RPTTF Authorized	67,469	67,469	134,938
ROPS 18-19 prior period adjustment (PPA)	(207,944)	0	(207,944)
Total RPTTF Approved for Distribution	\$ 1,576,603	\$ 1,168,955	\$ 2,745,558