



Transmitted via e-mail

April 14, 2020

Steve Masura, Vice President Administration & Operations, Kosmont Companies  
Los Banos Designated Local Authority  
1601 North Sepulveda Boulevard, #382  
Manhattan Beach, CA 90266

### **2020-21 Annual Recognized Obligation Payment Schedule**

Pursuant to Health and Safety Code (HSC) section 34177 (o) (1), the Los Banos Designated Local Authority 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 31, 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. 11 – Property assessments in the amount of \$40,905 is not allowed. Finance continues to deny this item. The Agency is requesting property assessment fees on properties that were approved to transfer to the City of Los Banos (City) under Oversight Board Resolution Nos. 2018-13 and 2018-15. The Agency states the remaining properties approved for transfer to the City cannot be transferred until remediation is complete. However, the Agency did not provide any documentation to support its assertion that the ongoing remediation of the properties inhibits or restricts its ability to transfer these properties to the City. Therefore, the requested amount of \$40,905 is not eligible for Redevelopment Property Tax Trust Fund (RPTTF) funding.
- Item No. 13 – Supplemental Educational Revenue Augmentation Fund loan in the total outstanding amount of \$264,768 is overstated, and the requested \$264,768 is partially allowed. After applying the prior ROPS repayments totaling \$1,312,021 to the principal loan amount of \$1,360,207, the outstanding loan balance is adjusted to \$48,186. As a result, the Agency's current ROPS request of \$264,768 has been reduced to \$48,186 to only allow the funds necessary to fulfill this obligation. Therefore, \$216,582 (\$264,768 - \$48,186) is not eligible for RPTTF funding.

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, 2017 through June 30, 2018 (ROPS 17-18) period. Reported differences in RPTTF are used to offset current RPTTF distributions. The amount of RPTTF authorized includes the prior period adjustment (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 \$2,036,235, 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/](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.

Steve Masura  
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Please direct inquiries to Todd Vermillion, Supervisor, or Mathew Rios, Staff, at (916) 322-2985.

Sincerely,

Original signed by Cheryl L. McCormick for:

JENNIFER WHITAKER  
Program Budget Manager

cc: Michael Amabile, Chair, Los Banos Designated Local Authority  
Sylvia Sanchez, Supervising Accountant, Merced County

<b>Approved RPTTF Distribution July 2020 through June 2021</b>			
	<b>ROPS A</b>	<b>ROPS B</b>	<b>ROPS 20-21 Total</b>
RPTTF Requested	\$ 1,053,910	\$ 1,183,854	\$ 2,237,764
Administrative RPTTF Requested	60,000	60,000	120,000
<b>Total RPTTF Requested</b>	<b>1,113,910</b>	<b>1,243,854</b>	<b>2,357,764</b>
<b>RPTTF Requested</b>	<b>1,053,910</b>	<b>1,183,854</b>	<b>2,237,764</b>
<u>Adjustments</u>			
Item No. 11	(20,000)	(20,905)	(40,905)
Item No. 13	(51,814)	(164,768)	(216,582)
	(71,814)	(185,673)	(257,487)
<b>RPTTF Authorized</b>	<b>982,096</b>	<b>998,181</b>	<b>1,980,277</b>
<b>Administrative RPTTF Authorized</b>	<b>60,000</b>	<b>60,000</b>	<b>120,000</b>
ROPS 17-18 prior period adjustment (PPA)	(64,042)	0	(64,042)
<b>Total RPTTF Approved for Distribution</b>	<b>\$ 978,054</b>	<b>\$ 1,058,181</b>	<b>\$ 2,036,235</b>