



Transmitted via e-mail

May 17, 2021

Tamar Sadd, Senior Administrative Officer
City of Glendale
633 East Broadway, Suite 201
Glendale, CA 91206

2021-22 Annual Recognized Obligation Payment Schedule

This letter supersedes the California Department of Finance's (Finance) Recognized Obligation Payment Schedule (ROPS) letter dated April 9, 2021. Pursuant to Health and Safety Code (HSC) section 34177 (o) (1), the City of Glendale Successor Agency (Agency) submitted an annual ROPS for the period July 1, 2021 through June 30, 2022 (ROPS 21-22) to Finance on January 26, 2021. The Agency requested a Meet and Confer on one or more of the determinations made by Finance. The Meet and Confer was held on April 21, 2021.

Based on a review of additional information and documentation provided to Finance during the Meet and Confer process, Finance has completed its review of the specific determinations being disputed:

- Item No. 26 – Parks Set-aside Payment for Legendary Tower Project in the total outstanding amount of \$675,000, is not allowed. During the Meet and Confer, the Agency indicated Resolution No. R-801, passed by the former Glendale Redevelopment Agency (RDA) in November 2007 (Resolution), and the Legendary Tower Glendale Mitigated Negative Declaration Addendum (Addendum) obligate the Agency to provide funding for park space as mitigation for the development of the Legendary Tower project. The Resolution and Addendum state pursuant to the Redevelopment Plan for the Central Glendale Redevelopment Project Area adopted in 1972 and the San Fernando Road Corridor Project Area adopted in 1992, tax increment revenues generated in that Project Area may be used to fund public and recreation improvements including parks and libraries located in or benefiting the Project Area.

However, as stated in our April 9, 2021 determination letter, the Resolution and Addendum are not legal binding agreements that obligate the Agency to set aside funds. The Agency did not provide any executed agreement or contract to demonstrate an enforceable obligation exists. Further, both the Resolution and Addendum include a provision, which reserves the RDA's discretion to reduce or suspend the tax increment set-aside policy upon a finding that such a reduction or suspension is necessary for other Redevelopment Plan priorities. Therefore, the set-aside is simply a policy that can be suspended, and this item is not an enforceable obligation pursuant to HSC section 34171 (d) (1); therefore, the requested \$150,000 from Redevelopment Property Tax Trust Fund (RPTTF) funding is not allowed.

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 \$10,961,995, 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.

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 Michael Painter, Staff, at (916) 322-2985.

Sincerely,

Original signed by Cheryl L. McCormick for:

JENNIFER WHITAKER
Program Budget Manager

cc: Philip Lanzafame, Director of Community Development, City of Glendale
Kristina Burns, Manager, Department of Auditor-Controller, Los Angeles County

Attachment

Approved RPTTF Distribution July 2021 through June 2022			
	ROPS A	ROPS B	Total
RPTTF Requested	\$ 5,338,966	\$ 5,551,191	\$ 10,890,157
Administrative RPTTF Requested	125,000	125,000	250,000
Total RPTTF Requested	5,463,966	5,676,191	11,140,157
RPTTF Requested	5,338,966	5,551,191	10,890,157
<u>Adjustment(s)</u>			
Item No. 26	(75,000)	(75,000)	(150,000)
RPTTF Authorized	5,263,966	5,476,191	10,740,157
Administrative RPTTF Authorized	125,000	125,000	250,000
ROPS 18-19 prior period adjustment (PPA)	(28,162)	0	(28,162)
Total RPTTF Approved for Distribution	\$ 5,360,804	\$ 5,601,191	\$ 10,961,995

ICC: Painter, Vermillion, Takagi-Galamba, McAllister, McCormick, Whitaker

Final Path: J:\Audits and Review\ROPS 21-22 Letters PDF

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