



# AGENDA REPORT

## Community Development

<b>DATE:</b>	December 19, 2023
<b>TO:</b>	Mayor Martinez and Members of the City Council
<b>FROM:</b>	Lina Velasco, Director of Community Development Rita Martinez, Senior Accountant
<b>Subject:</b>	Approval of the Recognized Obligation Payment Schedule (ROPS 24-25) and the Administrative Budget for the Period July 1, 2024 through June 30, 2025
<b>FINANCIAL IMPACT:</b>	Adoption of the Recognized Obligation Payment Schedule including the administrative budget is a necessary action for the Successor Agency to expend former Richmond Community Redevelopment Agency funds on certain financial obligations of the Agency. Residual tax revenues not obligated on ROPS 24-25 are distributed to local taxing entities.
<b>PREVIOUS COUNCIL ACTION:</b>	<a href="#">Click or tap here to enter text.</a>
<b>STATEMENT OF THE ISSUE:</b>	The Successor Agency to the Richmond Community Redevelopment Agency (Agency) is required to approve a Recognized Obligation Payment Schedule (“ROPS”) and an administrative budget annually pursuant to California Health And Safety Code Sections 34177(O) And 34171(A),(B), and 34177(J), respectively.
<b>RECOMMENDED ACTION:</b>	ADOPT a resolution approving the Recognized Obligation Payment Schedule (ROPS 24-25) and the Administrative Budget for the Period July 1, 2024, through June 30, 2025 – Community Development Department (Lina Velasco 510-620-6841).

## **DISCUSSION:**

### *Background*

ABx1 26 (“Dissolution Act”) suspended all new redevelopment activities and incurrence of indebtedness by terminating virtually all otherwise legal functions of redevelopment agencies and mandating a liquidation of any assets for the benefit of local taxing agencies. Some debts are allowed to be repaid, but any such remittances are to be managed by a successor agency that functions primarily as a debt repayment administrator. The successor agency cannot initiate any new redevelopment projects or programs. The activities of the successor agency are overseen by a countywide oversight board, comprised primarily of representatives of other taxing agencies throughout the county, until such time as the remaining debts of the former redevelopment agency are paid off, all former agency assets are liquidated, and all property taxes redirected to local taxing agencies.

Under the Dissolution Act, the portion of property tax revenues collected in the Redevelopment Agency (“RDA”) Project Areas, which were considered Tax Increment prior to RDA dissolution, are now called Redevelopment Property Tax and are deposited by the County Auditor-Controller into the Redevelopment Property Tax Trust Fund (“RPTTF”). The County Auditor-Controller distributes the funds in the RPTTF with the following priority:

1. County Auditor-Controller’s administrative costs;
2. Pass-through payments to the taxing entities affected by the Redevelopment Plan for the Project Area, calculated the same as prior to RDA dissolution;
3. Distribution to the Successor Agency to retire the former RDA’s obligations; and
4. Distribution of residual funds to taxing entities.

A budget trailer bill drafted by the State Department of Finance (“DOF”) purportedly to “clean up” certain conflicting and confusing provisions of ABx1 26 was signed by Governor Jerry Brown on June 27, 2012. This bill, AB 1484, made several substantive changes to ABx1 26 including a provision that successor agencies that do not submit an approved Recognized Obligation Payment Schedule (“ROPS”) by the statutory deadlines will be assessed a \$10,000 per day penalty for lateness.

On September 22, 2015, Governor Jerry Brown signed SB 107, which made several significant changes to the redevelopment dissolution process, including modification of the ROPS submittal cycle from six-month to 12-month intervals.

Under Health and Safety Code Section 34177(o), a ROPS must be prepared and submitted on February 1st of every year and list all of the “enforceable obligations” of the former agency. The ROPS is subject to approval by the Countywide Oversight Board and DOF before the County Auditor-Controller disburses funding for payments on the approved ROPS. “Enforceable obligations” include: bond payments; loans legally required to be repaid pursuant to a payment schedule with mandatory repayment terms; payments required by the federal government; preexisting obligations to the state or

obligations imposed by state law; judgments, settlements or binding arbitration decisions that bind the agency; legally binding and enforceable agreements or contracts; and contracts or agreements necessary for the continued administration or operation of the successor agency, including agreements to purchase or rent office space, equipment and supplies.

After submittal, DOF has until April 15 to review the ROPS and approve or disapprove of any items. The Successor Agency can request additional review by DOF and an opportunity to meet and confer on disputed items. The Successor Agency must make a request within five business days of receiving a DOF determination. DOF is required to notify the Successor Agency and County Auditor-Controller of its final determination of the approved payments at least 15 days prior to the first distribution date of RPTTF for the ROPS, which is June 1. RPTTF is distributed twice annually, on June 1 and January 2 of each year. The annual ROPS can be amended once per year as long as the amendment is received by DOF before October 1 of the applicable fiscal year.

*Summary*

**Recognized Obligation Payment Schedule (ROPS 24-25)**

ROPS 24-25 is Exhibit A to the attached Successor Agency resolution. It includes: 1) a summary of the funding request; 2) an itemized listing of obligations (“ROPS Detail”); and 3) a report of cash balances. This ROPS covers payments due during the period of July 1, 2024, through June 30, 2025.

The following is a summary of ROPS 24-25 Obligations submitted for approval.

**ROPS Obligation Summary**

	<u>Paid from Tax Revenues</u>	<u>Paid from Reserves and Other Sources</u>	<u>Total</u>
Debt Service	\$ 8,165,036	\$ 7,611,407	\$ 15,776,443
Capital Projects	2,187,000	3,187,679	5,374,679
Project Management	95,000	-	95,000
Administration	256,022	-	256,022
	<u>\$ 10,703,058</u>	<u>\$ 10,799,086</u>	<u>\$ 21,502,144</u>

**Successor Agency Administrative Budget July 1, 2024 through June 30, 2025**

Pursuant to Health and Safety Code Sections 34171(a), (b), and 34177(j), the Successor Agency must prepare a budget for administrative expenses each fiscal year (“Administrative Budget”). In accordance with the Dissolution Act, the Successor Agency’s RPTTF administrative cost allowance cap is the greater of three percent of the

prior year RPTTF distribution or \$250,000 annually. For the period July 1, 2024 through June 30, 2025, the RPTTF administrative cost allowance cap is \$256,022.

**SUCCESSOR AGENCY TO THE RICHMOND COMMUNITY  
REDEVELOPMENT AGENCY**

**ADMINISTRATIVE BUDGET  
Fiscal Year 2024-2025**

**Revenue Summary**

RPTTF Administrative Allowance	\$	256,022
	<u>\$</u>	<u>256,022</u>

**Expenditure Summary**

Salary and Benefits	\$	175,500
Professional and Administrative Expenses	\$	51,522
Other Operating Expenses	\$	14,000
City Cost Allocation Plan	<u>\$</u>	<u>15,000</u>
	<u>\$</u>	<u>256,022</u>

Upon the Successor Agency Board’s approval, staff will submit ROPS 24-25 and the Administrative Budget to the Oversight Board for their consideration and approval. Upon receiving the Oversight Board’s approval, City staff will submit ROPS 24-25 to the County Auditor-Controller, the State Controller, and the DOF. The approved ROPS 24-25 is required to be submitted to DOF by February 1, 2024, to avoid daily penalties.

**DOCUMENTS ATTACHED:**

- Attachment 1 – Resolution
- Attachment 2 – Exhibit A to Resolution (ROPS 24-25)
- Attachment 3 – Exhibit B to Resolution (Administrative Budget)