



Agenda Report

DATE: September 28, 2020

TO: CONTRA COSTA COUNTYWIDE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY OF WALNUT CREEK

FROM: ADMINISTRATIVE SERVICES DEPARTMENT – FINANCE DIVISION

SUBJECT: RESOLUTION APPROVING A LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE WALNUT CREEK SUCCESSOR AGENCY

STATEMENT OF ISSUE:

Staff for the Successor Agency to the former City of Walnut Creek Redevelopment Agency (“Successor Agency”) has prepared the attached Last and Final Recognized Obligation Payment Schedule pursuant to Section 34191.6 (a) of the California Health and Safety Code (HSC).

RECOMMENDED ACTION:

Adopt resolution approving a Last and Final Recognized Obligation Payment Schedule (ROPS) for the Walnut Creek Successor Agency.

DISCUSSION:

The Walnut Creek Successor Agency is responsible for winding down the activities of the former Redevelopment Agency of the City of Walnut Creek. Pursuant to the requirements of Part 1.85 of Division 24 of the California Health and Safety Code (HSC Section 34170 et seq.; the “Dissolution Act”). As part of its responsibilities, the Successor Agency must prepare and submit a ROPS every fiscal year. The Successor Agency has to date prepared fourteen period reports including five annual ROPS as required by the California State Department of Finance (“DOF”) with passage into law of SB 107 effective September 22, 2015.

As of July 1, 2018, the Countywide Oversight Board for the County of Contra Costa (the “Contra Costa Countywide Oversight Board”) is the responsible oversight board for all successor agencies in the County including the Walnut Creek Successor Agency.

Pursuant to HSC section 34191.6 (a) of the Dissolution Act, beginning January 1, 2016, successor agencies that have received a Finding of Completion may submit a Last and Final ROPS for approval by the oversight board and the DOF if all of the following conditions are met:

- 1) The remaining debt is limited to administrative costs and payments pursuant to enforceable obligations with defined payment schedules including, but not limited to, debt service, loan agreements and contract;
- 2) All remaining obligations have been previously listed on the ROPS and approved for payment by the California State Department of Finance (DOF) pursuant to subdivision (m) or (o) of HSC section 34177 of the Dissolution Act and
- 3) The successor agency is not a party to outstanding/unresolved litigation.

The Last and Final ROPS shall list remaining enforceable obligations of the successor agency and include the total outstanding obligation and schedule of remaining payments for each enforceable obligation listed. Upon approval by the oversight board and the DOF, the Last and Final ROPS shall establish the maximum amount of Redevelopment Property Tax Trust Funds (RPTTF) to be distributed to the successor agency for each remaining fiscal year until all obligations have been paid and no further ROPS need to be prepared.

Last and Final Recognized Obligation Payments Schedule

The Successor Agency has prepared a Last and Final ROPS for approval by the Contra Costa Countywide Oversight Board and the DOF, together with a proposed resolution for the Contra Costa Countywide Oversight board approving the Last and Final ROPS. See Attachment 1 & 2.

The Last and Final ROPS includes all obligation for balance needed for the payment of enforceable obligations for the July 1, 2021 through June 30, 2022 period including trustee fees and legal services costs for performance of those responsibilities and administrative costs for a total of \$18,021. Other funds are available in lieu of RPTTF for payment of all obligations.

Last and Final ROPS Approval Procedure

Following the Contra Costa Countywide Oversight Board's approval of the Last and Final ROPS, the Successor Agency must submit the Last and Final ROPS to the Department of Finance for approval. Concurrently with submission to the DOF, the Last and Final ROPS must also be submitted to the Contra Costa County Auditor Controller, the California State Controller and must be posted on the Successor Agency's website. The Last and Final ROPS will not be effective until reviewed and approved by the DOF, which has 100 days to review the Last and Final ROPS after its submission. Upon approval of the Last and Final ROPS, pursuant to HSC section 34191.6 (c) (3) and 34177 (d), the Successor Agency will remit any revenues and/or unencumbered funds received to the County Auditor-Controller for distribution to affected taxing entities.

ENVIRONMENTAL REVIEW:

The actions set forth in the recommended accompanying resolution, as summarized above, are exempt under Guideline 15378(b)(4) of the California Environmental Quality Act (CEQA) in that the actions do not constitute a "project," but instead are required to continue a governmental funding mechanism for enforceable obligations of the former Redevelopment Agency and to perform statutorily mandated unwinding of the assets, liabilities and functions of the former Redevelopment Agency pursuant to the Dissolution Act. A notice of exemption will be filed with the County Clerk in accordance with the CEQA guidelines.

DOCUMENTS:

Attachment 1: Last and Final ROPS
Attachment 2: Resolution Approving ROPS

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY TO THE WALNUT CREEK
REDEVELOPMENT AGENCY ACTION RECOMMENDED:**

Approval of the attached Resolution approving the Successor Agency Last and Final Recognized
Obligation Payment Schedule (ROPS).

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