

**RESOLUTION OF THE COUNTYWIDE OVERSIGHT BOARD
FOR THE COUNTY OF CONTRA COSTA**

Adopted this Resolution on 01/25/2021 by the following vote:

John Hild
Susan Morgan
AYE: **Rita Xavier**
 Gabriel Lemus
 Jack Weir

NO:

ABSENT: **Federal D. Glover**

ABSTAIN:

RECUSE:



Resolution: 2021/4

A Resolution Approving the Recognized Obligation Payment Schedule 21-22 and the Administrative Budget for the Successor Agency to the Redevelopment Agency of the City of Concord for the Period July 1, 2021 – June 30, 2022.

WHEREAS, Pursuant to State Health and Safety Code section 34177(o), commencing with the Recognized Obligation Payment Schedule (ROPS) covering the period from July 1, 2016 to June 30, 2017 and thereafter, agencies shall submit an oversight board approved annual ROPS to Department of Finance (DOF) and the County Auditor-Controller by each February 1; and

WHEREAS, Successor Agency staff prepared a ROPS for July 1, 2021 through June 30, 2022 and submitted it to the Board for review and approval, and at the same time provided a copy of the ROPS to the County Administrative Officer, the County Auditor and DOF, all as required pursuant to Health and Safety Code Section 34177(1)(2)(B); and

WHEREAS, Under Health and Safety Code Section 34177(j), the Successor Agency to the Redevelopment Agency of the City of Concord is to prepare a proposed Administrative Budget to cover the City of Concord's costs to undertake the required successor agency tasks to wind down the affairs of the dissolved Redevelopment Agency of the City of Concord.

WHEREAS, Under Health and Safety Code Section 34171(b), the "Administrative Cost Allowance" is payable from property tax revenues allocated to the successor agency to administer its assigned duties under AB 1x 26; and

WHEREAS, The FY2021-22 Administrative Budget for the Successor Agency to the Redevelopment Agency of the City of Concord was included in the FY 2021-22 ROPS that is subject to approval by the State Department of Finance

WHEREAS, on January 25, 2021, the Oversight Board approved the ROPS and directed Successor Agency staff to submit the ROPS to DOF, the State Controller and the County Auditor and post the ROPS on the Successor Agency's website in accordance with Health and Safety Code Section 34177(1)(2)(C).

NOW, THEREFORE, THE OVERSIGHT BOARD DOES RESOLVE AS FOLLOWS:

Section 1. The Recognized Obligation Payment Schedule for the period July 1, 2021 – June 30, 2022, in the form attached to this resolution and incorporated herein by reference, is hereby approved.

Section 2. The staff of the Successor Agency is hereby directed to submit the ROPS to DOF, the State Controller and the County Auditor, and post the ROPS on the Successor Agency's website in accordance with Health and Safety Code Section 34177(1)(2)(C), and to cooperate with DOF to the extent necessary to obtain DOF's acceptance of the ROPS, including, if necessary, making modifications to the ROPS determined by the Successor Agency's Executive Director to be reasonable and financially feasible to meet its legally required financial obligations.

Section 3. This resolution shall become effective immediately upon its passage and adoption.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Countywide Oversight Board, on January 25, 2021.

ATTEST:



----- Maureen Toms, Oversight Board Secretary

Contact:

cc: Concord - Suzanne McDonald, Maureen Toms, DCD, Concord - Guy Bjerke

**Recognized Obligation Payment Schedule (ROPS 21-22) - Summary
Filed for the July 1, 2021 through June 30, 2022 Period**

Successor Agency: Concord
County: Contra Costa

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	21-22A Total (July - December)	21-22B Total (January - June)	ROPS 21-22 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ 80,194	\$ -	\$ 80,194
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	80,194	-	80,194
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 1,320,396	\$ 3,077,730	\$ 4,398,126
F RPTTF	1,195,396	2,952,730	4,148,126
G Administrative RPTTF	125,000	125,000	250,000
H Current Period Enforceable Obligations (A+E)	\$ 1,400,590	\$ 3,077,730	\$ 4,478,320

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Maureen Toms *OB Secretary*
Name Title

/s/ Maureen Toms 1-27-21
Signature Date

Concord
Recognized Obligation Payment Schedule (ROPS 21-22) - ROPS Detail
July 1, 2021 through June 30, 2022

A Item #	B Project Name	C Obligation Type	D Agreement Execution Date	E Agreement Termination Date	F Payee	G Description	H Project Area	I Total Outstanding Obligation	J Retired	K ROPS 21-22 Total	L M N ROPS 21-22A (Jul - Dec)				O P Q ROPS 21-22B (Jan - Jun)				W 21-22B Total			
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	Bond Proceeds	Reserve Balance	Other Funds		RPTTF	Admin RPTTF	
																						21-22A Total
6	Disposition and Development Agreement	OPA/DDA/ Construction	11/14/2000	06/30/2027	Sequoia Equities	Tax Increment Reimbursement	1	\$16,459,265		\$4,478,320	\$-	\$80,194	\$1,195,396	\$125,000	\$-	\$-	\$-	\$2,952,730	\$125,000	\$3,077,730	\$-	
18	Housing Set Aside Deficit Reduction Plan	SERAF/ ERAF	07/01/2013	07/01/2025	City of Concord	housing set aside deficit pursuant to CRL Section 33334.6	1	-	Y	\$-	-	-	-	-	-	-	-	-	-	-	\$-	
21	Successor Agency Administration	Admin Costs	07/01/2021	06/30/2022	City of Concord	Reimburse Payroll Costs & Legal Fees	1	250,000	N	\$250,000	-	-	-	125,000	-	-	-	-	125,000	-	\$125,000	
27	Annual OPEB Unfunded Liability	Unfunded Liabilities	07/01/2021	06/30/2022	CERBT	Former RDA's prorated share of Annual Unfunded Liability	1	-	N	\$-	-	-	-	-	-	-	-	-	-	-	\$-	
31	2014 Tax Allocation Refunding Bonds	Refunding Bonds Issued After 6/27/12	10/01/2014	03/01/2025	Bank of New York	Refunding 2004 TAB and 2011 Lease Revenue Bonds	1	11,716,000	N	\$3,211,750	-	-	260,875	-	-	-	-	2,950,875	-	-	\$2,950,875	
36	2014 Tax Allocation Refunding Bonds - Fiscal Agent Fees	Fees	07/01/2021	06/30/2022	Bank of New York	Fiscal Agent Fees for Refunding TAB	1	1,855	N	\$1,855	-	-	-	-	-	-	-	1,855	-	-	\$1,855	
38	Disposition and Development Agreement	OPA/DDA/ Construction	11/14/2000	06/30/2027	Sequoia Equities	Tax Increment Reimbursement - Supplemental Taxes Paid upon Property Transfer		319,376	N	\$319,376	-	-	319,376	-	-	-	-	-	-	-	-	\$-

Concord
Recognized Obligation Payment Schedule (ROPS 21-22) - Report of Cash Balances
July 1, 2018 through June 30, 2019
 (Report Amounts in Whole Dollars)

A	B		C	D	E	F	G	H
	Fund Sources							
	Bond Proceeds	Reserve Balance						
	ROPS 18-19 Cash Balances (07/01/18 - 06/30/19)		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	Comments
1	Beginning Available Cash Balance (Actual 07/01/18) RPTTF amount should exclude "A" period distribution amount.				171,591		6,832	Use "Reserve Balances" on ROPS 18/19: \$4,166 PPA 15/16A + \$2666 PPA 15/16B ROPS Prior RPTTF from : \$78,413 ROPS 17/18 Interest/Rent \$26,302 to be used of ROPS 19/20 \$2,272 from ROPS 15/16 to be used on ROPS 18/19 \$40,864 from ROPS 16/17 PPA, to be used on ROPS 18/19 \$23,740 form ROPS 17/18 to be used on debt service line 31 but trustee used cash on hand for partial payment
2	Revenue/Income (Actual 06/30/19) RPTTF amount should tie to the ROPS 18-19 total distribution from the County Auditor-Controller					80,194	9,251,312	ROPS 18/19 A: 2,732,083 ROPS 18/19 B: 6,519,229 Other Funds: \$80,194 Rent + Interest
3	Expenditures for ROPS 18-19 Enforceable Obligations (Actual 06/30/19)				2,272		9,245,294	\$4,166 PPA 15/16A + \$2666 PPA 15/16B \$2,272 from ROPS 15/16 to be used on ROPS 18/19 RPTTF EO: \$8,988,462 RPTTF Admin: \$250,000
4	Retention of Available Cash Balance (Actual 06/30/19)				169,319			ROPS Prior RPTTF from : \$78,413 ROPS 17/18

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.									
A	B	C	D	E		F	G		H
		Fund Sources							
		Bond Proceeds		Reserve Balance	Other Funds		RPTTF		Comments
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin			
	ROPS 18-19 Cash Balances (07/01/18 - 06/30/19)								
	RPTTF amount retained should only include the amounts distributed as reserve for future period(s)								18 Interest/Rent, to be used on ROPS 20/21 \$26,302 to be used of ROPS 19/20 \$40,864 from ROPS 16/17 PPA, to be used on ROPS 19/20 \$23,740 from ROPS 17/18 to be used on debt service line 31 but trustee used cash on hand for partial payment
5	ROPS 18-19 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 18-19 PPA form submitted to the CAC							12,850	\$12,850 ROPS 18/19 PPA
6	Ending Actual Available Cash Balance (06/30/19) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$-	\$80,194	\$-			Rent/Inetrest Earnings from FY2018/19 To be used on Line 6 (DDA Agreement) for ROPS 21/22

Concord
Recognized Obligation Payment Schedule (ROPS 21-22) - Notes
July 1, 2021 through June 30, 2022

Item #	Notes/Comments
6	
18	Obligation paid in full 6/30/2021
21	
27	
31	
36	
38	

**Successor Agency to the Redevelopment Agency of the City of Concord
Administrative Budget
July 1, 2021 to June 30, 2022**

Category	Department/Description	Annual Cost
Personnel Costs	Economic Development & Base Reuse Director	\$36,964
Personnel Costs	Finance Manager	\$39,697
Legal Expense	Outside Legal Fees	\$5,000
Audit	Annual Audit Expense	\$7,210
Insurance Fees	Annual Insurance Fees	\$2,000
Computer	Computer Equipment, Maintenance, and other IT support	\$29,000
Agency Operations	Office Space, Office Supplies, In-House City Attorney, In-House Debt/Cash Management, Utilities, etc.	\$130,128
Total All Administrative Expenses		\$250,000

Recognized Obligation Payment Schedule (ROPS 20-21) - Summary
Filed for the July 1, 2020 through June 30, 2021 Period

Successor Agency: Concord

County: Contra Costa

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	20-21A Total (July - December)	20-21B Total (January - June)	ROPS 20-21 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ 78,413	\$ -	\$ 78,413
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	78,413	-	78,413
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 2,073,515	\$ 4,048,149	\$ 6,121,664
F RPTTF	1,948,515	3,923,149	5,871,664
G Administrative RPTTF	125,000	125,000	250,000
H Current Period Enforceable Obligations (A+E)	\$ 2,151,928	\$ 4,048,149	\$ 6,200,077

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Maurice Jones, Secretary
 Name Title

Maurice Jones 1-27-2020
 Signature Date



Staff Report

Date: January 25, 2021

To: Oversight Board

From: Guy Bjerke, Economic Development and Base Reuse Director

Reviewed by: Suzanne McDonald, Financial Operations Manager

Prepared by: Guy Bjerke, Economic Development and Base Reuse Director
Guy.Bjerke@cityofconcord.org
(925) 671-3076

Subject: **Adopt Resolution No. 2021-4 approving the Recognized Obligation Payment Schedule (21-22) for July 1, 2021 through June 30, 2022 of the Successor Agency to the Redevelopment Agency of the City of Concord.**

Report in Brief

The Oversight Board is required to review and take action on the Successor Agency to the Redevelopment Agency of the City of Concord's Recognized Obligation Payment Schedule (ROPS) 2021-22 for the July 1, 2021 through June 30, 2022 time period. The proposed ROPS is the annual (fiscal year) ROPS cycle. The State made this change as part of legislation passed in 2015 governing Successor Agencies. Staff is requesting the Board to review and approve ROPS 21-22 (Attachment 1). Once approved by the Oversight Board, Successor Agency staff will forward the approved ROPS to the State Department of Finance (DOF), State Auditor Controller, County Administrator and County Auditor Controller for these agencies respective review by February 1, 2021. If approved by the DOF, ROPS 21-22 will be in place for the Successor Agency to make payments on agreements, Successor Agency administration and enforceable obligations of the former Redevelopment Agency for that period of time. Total amount of funds being requested for ROPS 21-22 is \$4,398,126.

Recommended Action

Staff recommends that the Oversight Board adopt Resolution No. 2021-4 (Attachment 2) approving ROPS 21-22 and direct staff to submit the ROPS to the Department of Finance and other agencies as required.

Background

On February 1, 2012, redevelopment agencies throughout the state were dissolved pursuant to Assembly Bill 1X 26. All of the non-housing assets and obligations of the former Redevelopment Agency of the City of Concord were transferred by operation of law to the Successor Agency of the City of Concord. Health and Safety Section 34179 provides for establishment of an Oversight Board to oversee the closeout and wind down of the former redevelopment agency.

On June 27, 2012, the Governor signed into law AB 1484 which modified the dissolution law affecting the winding down of redevelopment agencies throughout the State. As part of this law, successor agencies are required to submit an Oversight Board approved ROPS to the DOF essentially three months ahead of the each ROPS period for DOF's review. The DOF has 45 days to review the Oversight Board approved ROPS and make its determination of the enforceable obligations, obligation amounts and funding sources of the enforceable obligation no later than 45 days after the ROPS is submitted.

The Governor signed the 2015/16 Budget Trailer bill which provided for annual ROPS, commencing with ROPS July 1, 2016 to June 30, 2017 and thereafter, agencies shall submit an oversight board approved annual ROPS to DOF and the County Auditor-Controller by February 1, 2016 and each February 1 thereafter.

Analysis

The Successor Agency is responsible for administering the payments appearing on the proposed ROPS, subject to the approval of the Oversight Board, which is charged with reviewing and approving ROPS.

The Dissolution Law provides each successor agency with an administrative cost allowance equal to the greater of: (i) 3% of the property tax allocated to the Redevelopment Obligation Retirement Fund; or (ii) \$250,000; unless the amount is reduced by the Oversight Board or by agreement with the successor agency. Any amount that is not spent for actual costs incurred is returned to the County Auditor-Controller as part of the following Recognized Obligation Payment Schedule ("ROPS") true-up.

Senate Bill (SB) 107 introduced a new calculation commencing FY2016-17 for determining each successor agency's administrative cost allowance. It added a new cap on successor agency annual administrative costs. Under SB 107, a successor agency's total annual administrative costs cannot exceed 50% of the Redevelopment Property Tax Trust Fund ("RPTTF") distributed to the successor agency for the payment of approved enforceable obligations in the preceding year, reduced by the successor agency's administrative cost allowance and any City loan repayments in the preceding year. The Successor Agency's annual administrative costs (Attachment 3) do not exceed 50 percent of the RPTTF and therefore complies with SB 107.

ROPS Overview:

ROPS 21-22 shows enforceable obligations on an annual basis for the specific reporting period of July 1, 2021 through June 30, 2022 and is attached to this report (Attachment 1). The following summarizes ROPS 21-22:

- Total Enforceable Obligations to be paid during the period are \$4,478,320.
- Total amount of funds being requested is \$4,398,126, which includes \$250,000 for the minimum administrative fee.
- Total funding from other sources (Rent and Interest) is \$80,194
- Refunding Bond Obligation as set forth in the 2014 Tax Allocation Refunding Bonds totaling \$3,211,750.
- Disposition and Development Agreement for the Legacy Apartment Complex requires a Tax Increment Reimbursement in the amount of \$695,339, plus an additional true-up payment for supplemental taxes paid in 2019 after the property transferred ownership in the amount of \$319,376.

With previous resolutions approving the ROPS, the proposed resolution directs staff to cooperate with DOF to the extent necessary to obtain DOF's acceptance of ROPS 21-22.

Attachments

1. ROPS 21-22
2. Resolution No. 2021-4
3. Administrative Budget