



April 13, 2013

Mr. Oscar G. Rodriguez, City Manager  
City of Calexico  
608 Heber Avenue  
Calexico, CA 92231

Dear Mr. Rodriguez:

Subject: Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Calexico Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS 13-14A) to the California Department of Finance (Finance) on February 28, 2013 for the period of July through December 2013. Finance has completed its review of your ROPS 13-14A, which may have included obtaining clarification for various items.

HSC section 34171 (d) defines enforceable obligations. Based on a sample of line items reviewed and application of the law, the following do not qualify as enforceable obligations:

- Item No. 13 – Affordable Housing Covenant Monitoring in the amount of \$233,200. Affordable Housing Covenant Monitoring is the responsibility of the Housing Successor and not the Agency. HSC section 34176 (a) (1) states if a city, county, or city and county elects to retain the authority to perform housing functions previously performed by a RDA, all rights, powers, duties, obligations, and housing assets shall be transferred to the city, county, or city and county. Therefore this item is not an enforceable obligation and eligible for Redevelopment Property Tax Trust Fund (RPTTF) funding.
- Item No. 17 – 2<sup>nd</sup> Street/Anza Road in the amount of \$2,784,858. This item was denied on the January through June 2013 ROPS and upheld during Meet and Confer determination. HSC section 34163(b) prohibits a redevelopment agency from entering into a contract with any entity after June 27, 2011. Since there is no contract in place, the item is not eligible for bond funding at this time. Pursuant to HSC section 34191.4 (c), Agency's request to use bond funds for this obligation may be permitted once the Agency receives a finding of completion from Finance and if the bond proceeds requested for use were derived from bonds issued prior to January 1, 2011.
- Item No. 18 – Oversight Board Expenses in the amount of \$15,000. This item is considered general administrative costs and has been reclassified. Although this reclassification increased administrative costs to \$140,000, the administrative cost allowance for fiscal year 2013-14 has not been exceeded.

Except for items denied in whole or in part as enforceable obligations, Finance is not objecting to the remaining items listed on your ROPS 13-14A. This determination applies only to items where funding was requested for the six month period. If you disagree with the determination with respect to any items on your ROPS 13-14A, you 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 at Finance's website below:

[http://www.dof.ca.gov/redevelopment/meet\\_and\\_confer/](http://www.dof.ca.gov/redevelopment/meet_and_confer/)

The Agency's maximum approved Redevelopment Property Tax Trust Fund (RPTTF) distribution for the reporting period is: \$1,423,582 as summarized below:

<b>Approved RPTTF Distribution Amount</b>	
<b>For the period of July through December 2013</b>	
Total RPTTF funding requested for obligations	\$ 1,487,641
Minus: Six-month total for items denied or reclassified as administrative cost	
Item 13	5,300
Item 18*	15,000
Total approved RPTTF for enforceable obligations	\$ 1,467,341
Plus: Allowable RPTTF distribution for ROPS 13-14A administrative cost	140,000
Minus: ROPS II prior period adjustment	(183,759)
<b>Total RPTTF approved for distribution:</b>	<b>\$ 1,423,582</b>

\*Reclassified as administrative cost

Pursuant to HSC Section 34186 (a), successor agencies were required to report on the ROPS 13-14A form the estimated obligations and actual payments (prior period adjustments) associated with the July through December 2012 period. The amount of RPTTF approved in the above table includes the prior period adjustment that was self-reported. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by successor agencies are subject to audit by the county auditor-controller (CAC) and the State Controller. Any proposed CAC adjustments were not received in time for inclusion in this letter. Therefore, the amount of RPTTF approved in the above table includes only the prior period adjustment that was self-reported by the Agency.

Finance noted that the Agency reported an actual obligations and administrative expenses paid with RPTTF in the amount of \$983,130. Our review of the CAC distribution report indicates that the Agency received \$1,197,122 to pay ROPS II obligations. Therefore, Finance encourages the CAC to audit the Agency's self-reported expenses and make any necessary adjustments to the Agency's future RPTTF distributions as authorized by HSC section 34186 (a).

Please refer to the ROPS 13-14A schedule that was used to calculate the approved RPTTF amount:

[http://www.dof.ca.gov/redevelopment/ROPS/ROPS 13-14A Forms by Successor Agency/](http://www.dof.ca.gov/redevelopment/ROPS/ROPS%2013-14A%20Forms%20by%20Successor%20Agency/).

This is Finance's final determination related to the enforceable obligations reported on your ROPS for July 1 through December 31, 2013. Finance's determination is effective for this time period only and should not be conclusively relied upon for future periods. All items listed on a future ROPS are subject to a subsequent review and may be denied even if it was or was not

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denied on this ROPS or a preceding ROPS. The only exception is for those items that have received a Final and Conclusive determination from Finance pursuant to HSC 34177.5 (i). Finance's review of items that have received a Final and Conclusive determination 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 that was available prior to enactment of ABx1 26 and AB 1484. This amount is not and never was an unlimited funding source. Therefore, as a practical matter, the ability to fund the items on the ROPS with property tax is limited to the amount of funding available to the successor agency in the RPTTF.

To the extent proceeds from bonds issued after December 31, 2010 exist and are not encumbered by an enforceable obligation pursuant to 34171 (d), HSC section 34191.4 (c)(2)(B) requires these proceeds be used to defease the bonds or to purchase those same outstanding bonds on the open market for cancellation.

Please direct inquiries to Beliz Chappuie, Supervisor or Todd Vermillion, Lead Analyst at (916) 445-1546.

Sincerely,



STEVE SZALAY  
Local Government Consultant

cc: Mr. John Quinn, Finance Director, City of Calexico  
Ms. Ann McDonald, Property Tax Manager, County of Imperial  
California State Controller's Office