

May 16, 2014

Mr. Steven Dobrenen, Finance Director
City of Cudahy
P.O. Box
Cudahy, CA 90201

Dear Mr. Dobrenen:

Subject: Recognized Obligation Payment Schedule

This letter supersedes the California Department of Finance's (Finance) Recognized Obligation Payment Schedule (ROPS) letter dated April 4, 2014. Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Cudahy Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS 14-15A) to Finance on February 21, 2014, for the period of July through December 2014. Finance issued a ROPS determination letter on April 4, 2014. Subsequently, the Agency requested a Meet and Confer session on one or more of the items denied by Finance. The Meet and Confer session was held on April 17, 2014.

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 items being disputed.

- Item No. 23 – Administrative reimbursement loan in the amount of \$472,279. Finance no longer denies this item. Finance initially denied this item because the spreadsheet provided by the Agency was insufficient to support the amount requested. However, based upon further review of the County Auditor Controller (CAC) distribution reports and the actual expenditures reported, the Agency did not receive the full administrative cost allowance for the following ROPS periods in the specified amounts:
 - ROPS I - \$214,000
 - ROPS II - \$125,000
 - ROPS III - \$125,000
 - ROPS 13-14B - \$8,279

Therefore, this item consists of unfunded prior enforceable obligations and is eligible for Redevelopment Property Tax Trust Fund (RPTTF) funding.

- Pursuant to HSC section 34186 (a), successor agencies were required to report on the ROPS 14-15A form the estimated obligations and actual payments (prior period adjustments) associated with the July through December 2013 period. HSC section 34186 (a) also specifies prior period adjustments self-reported by successor agencies are subject to audit by the CAC and the State Controller. The amount of RPTTF

approved in the table below includes the prior period adjustment resulting from the CAC's audit of the Agency's self-reported prior period adjustment.

During the Meet and Confer process, the Agency contended that the prior period adjustment should not be made because the use of these funds was requested from Reserve Balances on Item No. 6. To ensure sufficient funding is available for Item No. 6, Finance reclassifies \$220,400 from Reserve Balances to RPTTF. Therefore, no adjustment to the prior period adjustment will be made.

Except for the items denied in whole or in part as enforceable obligations, Finance is not objecting to the remaining items listed on your ROPS 14-15A. The Agency's maximum approved RPTTF distribution for the reporting period is \$1,917,122 as summarized on the next page:

Approved RPTTF Distribution For the period of July through December 2014	
Total RPTTF requested for non-administrative obligations	1,792,122
Total RPTTF requested for administrative obligations	125,000
Total RPTTF requested for obligations	\$ 1,917,122
Total RPTTF requested for non-administrative obligations	1,792,122
<u>Reclassified Item</u>	
Item No. 6	220,400
	220,400
Total RPTTF authorized for non-administrative obligations	\$ 2,012,522
Total RPTTF authorized for administrative obligations	\$ 125,000
Total RPTTF authorized for obligations	\$ 2,137,522
ROPS 13-14A prior period adjustment	(220,400)
Total RPTTF approved for distribution	\$ 1,917,122

Pursuant to HSC section 34177 (l) (1) (E), agencies are required to use all available funding sources prior to RPTTF for payment of enforceable obligations. During the ROPS 14-15A review, Finance requested financial records to support the cash balances reported by the Agency; however, Finance was unable to reconcile the financial records to the amounts reported. As a result, Finance will continue to work with the Agency after the ROPS 14-15A review period to properly identify the Agency's cash balances. If it is determined the Agency possesses cash balances that are available to pay approved obligations, the Agency should request the use of these cash balances prior to requesting RPTTF in ROPS 14-15B.

Please refer to the ROPS 14-15A schedule that was used to calculate the approved RPTTF amount:

<http://www.dof.ca.gov/redevelopment/ROPS>

This is Finance's final determination related to the enforceable obligations reported on your ROPS for July 1 through December 31, 2014. This determination only applies to items where funding was requested for the six-month period. 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 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 section 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 HSC section 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 Evelyn Suess, Dispute Resolution Supervisor, or Danielle Brandon, Analyst, at (916) 445-1546.

Sincerely,



JUSTYN HOWARD
Assistant Program Budget Manager

cc: Ms. Cheryl Murase, Principal, HdL Coren & Cone
Ms. Kristina Burns, Manager, Department of Auditor-Controller, Los Angeles County
California State Controller's Office