DEPARTMENT OF FINANCE

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REVISED

May 2, 2013

Ms. Marti Noel, Redevelopment & Housing Assistant Director
County of Monterey Successor Agency
168 West Alisal
Third Floor
Salinas, CA 93901

Dear Ms. Noel:

Subject: Recognized Obligation Payment Schedule

This letter revises and corrects the letter sent on April 15, 2013 due to an error relating to Item No. 10 by the County of Monterey Successor Agency (Agency). Pursuant to Health and Safety Code (HSC) section 34177 (m), the Agency submitted a Recognized Obligation Payment Schedule (ROPS 13-14A) to the California Department of Finance (Finance) on March 1, 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:

- Items No. 5 and 11 – In Lieu Fees totaling $16,996. The Agency did not provide sufficient documentation to support the amounts requested. Therefore, these line items are not enforceable obligations and are not eligible for funding on the ROPS.

On April 15, 2013, Finance issued a letter stating your maximum approved Redevelopment Property Tax Trust Fund (RPTTF) distribution amount was $848,041. Agency has since notified Finance that Item No. 10 relating to the administrative cost for E. Garrison DDA was incorrectly coded with a funding source of "Other" when it should have been "RPTTF." We are approving this change in funding source at this time as it was approved for funding in prior ROPS from RPTTF; however, we reserve the right to review this item in the future if it is placed on future ROPS for funding. Therefore, we are issuing a revised letter to reflect this change.

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/

The Agency's maximum approved RPTTF distribution for the reporting period is $0 as summarized below:

Approved RPTTF Distribution Amount For the period of July through December 2013		
Total RPTTF funding requested for obligations	$	731,539
Plus: Item 10 - Funding source changed to RPTTF	$	300,000
Minus: Six-month total for items denied or reclassified as administrative cost		
Item 5		2,431
Item 11		6,067
Total approved RPTTF for enforceable obligations	$	1,023,041
Plus: Allowable RPTTF distribution for ROPS 13-14A administrative cost		125,000
Minus: ROPS II prior period adjustment		(2,383,155)
Total RPTTF approved for distribution:	**$**	**-**

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 by the Agency. 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 estimated obligations funded by RPTTF in the amount of $2,583,237 and actual obligations and administrative expenses paid with RPTTF in the amount of $200,082. Our review of the CAC distribution report indicates that the Agency received only $1,341,160 to pay ROPS II obligations. 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/.

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 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 Wendy Griffe, Supervisor or Jenny DeAngelis, Lead Analyst at (916) 445-1546.

Sincerely,

STEVE SZALAY
Local Government Consultant

cc: Ms. Bertha Calderon, Redevelopment & Housing Project Analyst, County of Monterey
Ms. Julie Aguero, Auditor Controller Analyst II, County of Monterey
California State Controller's Office