



November 8, 2013

Ms. Linda Mann, Principal Administrative Analyst
City of Carson
701 East Carson Street
Carson, CA 90745

Dear Ms. Mann:

Subject: Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Carson Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS 13-14B) to the California Department of Finance (Finance) on September 24, 2013 for the period of January through June 2014. Finance has completed its review of your ROPS 13-14B, 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 for the reasons specified:

- Item No. 72 – Avalon Courtyard Rent Subsidy in the amount of \$1,953,577. It is our understanding the annual rent subsidy payment according to the Second Amendment Disposition Development Agreement is \$160,524. The Agency listed the rent subsidy payment amount twice, once under Non-Admin RPTTF and a second time under Admin RPTTF. As such, the administrative cost requested in the amount of \$160,524 for this item is denied.
- Item No. 73 – Carson Terraces Rent Subsidy in the amount of \$1,283,100. It is our understanding the annual rent subsidy payment according to the Owner Participation Agreement is \$73,320. The Agency listed the rent subsidy payment amount twice, once under Non-Admin RPTTF and also under Admin RPTTF. As such, the administrative cost requested in the amount of \$73,320 for this item is denied.
- Claimed administrative costs exceed the allowance by \$156,219. HSC section 34171 (b) limits the fiscal year 13-14 administrative expenses to three percent of property tax allocated to the Agency or \$250,000, whichever is greater. The Los Angeles Auditor-Controller's Office did not distribute administrative costs for the July through December 13-14 period, thus leaving a balance of \$594,587 available for the January through June 13-14 period. Although \$952,950 is claimed for administrative cost, Item Nos. 72 and 73 for rent subsidies in the amount of \$233,844 are denied and not counted toward the cap. Additionally, Item Nos. 27, 28, 43, 45, 46 and 52 in the amount of \$31,700 are

considered administrative expenses and should be counted toward the cap. Therefore, \$156,219 of excess administrative cost is not allowed.

In addition to the items addressed above, Finance would like note the following:

- Item No. 136 – Park lease payment in the amount of \$57,222. Finance requested support for this item to verify the expense was in compliance with the bond indentures. The Agency did not provide the support requested in time for Finance's consideration. While Finance did not make a determination to deny Item No. 136, the Agency should ensure compliance with the bond indenture before expending these funds.

Pursuant to HSC Section 34186 (a), successor agencies were required to report on the ROPS 13-14B form the estimated obligations and actual payments (prior period adjustments) associated with the January through June 2013 period. 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. The amount of RPTTF approved in the below table includes the prior period adjustment resulting from the CAC's audit of the Agency's self-reported prior period adjustment.

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 13-14B. If you disagree with the determination with respect to any items on your ROPS 13-14B, 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 \$5,426,434 as summarized below:

Approved RPTTF Distribution Amount For the period of January through June 2014	
Total RPTTF requested for non-administrative obligations	5,074,426
Total RPTTF requested for administrative obligations	952,950
Total RPTTF requested for obligations	\$ 6,027,376
Total RPTTF requested for non-administrative obligations	5,074,426
<u>Reclassified Items</u>	
Item 27	(12,500)
Item 28	(5,000)
Item 43	(1,000)
Item 45	(3,000)
Item 46	(500)
Item 52	(9,700)
	<u>(31,700)</u>
Total RPTTF approved for non-administrative obligations	5,042,726
Total RPTTF requested for administrative obligations	952,950
<u>Denied Items</u>	
Item No. 72	(160,524)
Item No. 73	(73,320)
	<u>(233,844)</u>
<u>Reclassified Items</u>	
Item 27	12,500
Item 28	5,000
Item 43	1,000
Item 45	3,000
Item 46	500
Item 52	9,700
	<u>31,700</u>
Total RPTTF for administrative obligations	750,806
Total RPTTF allowable for administrative obligations (see Admin Cost Cap table below)	594,587
Total RPTTF approved for obligations	5,637,313
ROPS III prior period adjustment	(210,879)
Total RPTTF approved for distribution	\$ 5,426,434
Administrative Cost Cap Calculation	
Total RPTTF for 13-14A (July through December 2013)	14,776,838
Total RPTTF for 13-14B (January through June 2014)	5,042,726
Total RPTTF for fiscal year 2013-14	19,819,564
Allowable administrative cost for fiscal year 2013-14 (Greater of 3% or \$250,000)	594,587
Administrative allowance for 13-14A (July through December 2013)	0
Allowable RPTTF distribution for administrative cost for ROPS 13-14B	594,587

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. Beginning with the ROPS 13-14B period, Finance required successor agencies to identify fund balances for various types of funds in its possession. During our ROPS 13-14B review, Finance requested financial

records to support the fund 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 13-14B review period to properly identify the Agency's fund balances. If it is determined the Agency possesses fund balances that are available to pay approved obligations, the Agency should request the use of these fund balances prior to requesting RPTTF in ROPS 14-15A.

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

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

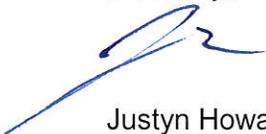
Absent a Meet and Confer, this is Finance's final determination related to the enforceable obligations reported on your ROPS for January 1 through June 30, 2014. This determination applies only to items where funding was requested for the six month period. Finance's determination is effective for this 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 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 Kylie Le, Supervisor or Hugo Lopez, Lead Analyst at (916) 445-1546.

Sincerely,



Justyn Howard
Assistant Program Budget Manager

cc: Ms. Denise Marrufo, Project Analyst, City of Carson
Ms. Kristina Burns, Manager, Los Angeles County Department of Auditor-Controller
California State Controller's Office