



November 6, 2013

Mr. Rob Burns, Director of Finance
City of Chino
13220 Central Avenue
Chino, CA 91710

Dear Mr. Burns:

Subject: Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Chino Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS 13-14B) to the California Department of Finance (Finance) on September 25, 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 Nos. 53 and 55 – Arbitrage Reports and Project Management costs totaling \$22,345. These line items were approved on the January through June 2013 ROPS (ROPS III). However, the actual expenditures for these items were \$22,345 more than the approved amounts, and the Agency paid the entire amount due from Reserve Funds. Therefore, these items are not unfunded, and do not qualify for Redevelopment Property Tax Trust Fund (RPTTF) funding.
- Item No. 54 – Administrative Allowance for the January through June 2012 period (ROPS I) period in the amount of \$250,000. The Agency omitted the request for funding for this item during ROPS I, and subsequently, this item was not approved by Finance as an inclusion to the ROPS I review. Therefore, this item is not an unfunded enforceable obligation, and is not eligible for RPTTF funding.

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 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 \$1,698,624 as summarized below:

Approved RPTTF Distribution Amount For the period of January through June 2014	
Total RPTTF requested for non-administrative obligations	2,093,512
Total RPTTF requested for administrative obligations	92,500
Total RPTTF requested for obligations	\$ 2,186,012
Total RPTTF requested for non-administrative obligations	2,093,512
<u>Denied Items</u>	
Item No. 53	(21,672)
Item No. 54	(250,000)
Item No. 55	(673)
	(272,345)
Total RPTTF approved for non-administrative obligations	1,821,167
Total RPTTF approved for administrative obligations	92,500
Total RPTTF approved for obligations	1,913,667
ROPS III prior period adjustment	(215,043)
Total RPTTF approved for distribution	\$ 1,698,624

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. Based on a review of the Fund Balances form, the following adjustment was made:

- Our review indicated cash with fiscal agents balance in the amount of \$3,497,826 was not included in the bond proceeds balance as of January 1, 2013. Therefore, the beginning balance for bond proceeds as of January 1, 2013 has been increased by \$3,497,826. However, the Agency is allowed to retain this amount as reserves required by bond indentures. As a result, the ending available balance for bond proceeds as of June 30, 2013 is not affected by this adjustment.

Further, Finance was unable to reconcile the financial records to the bond proceeds balances 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:

Mr. Rob Burns
November 6, 2013
Page 3

[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 Nichelle Thomas, Supervisor or Susana Medina Jackson, Lead Analyst at (916) 445-1546.

Sincerely,



JUSTYN HOWARD
Assistant Program Budget Manager

cc: Ms. Nada Repajic, Management Analyst, City of Chino
Ms. Linda Santillano, Property Tax Manager, San Bernardino County
California State Controller's Office