



November 10, 2014

Ms. Florita Cruz, Accounting Manager
City of Vallejo
555 Santa Clara Street
Vallejo, CA 94590

Dear Ms. Cruz:

Subject: Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Vallejo Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS 14-15B) to the California Department of Finance (Finance) on September 29, 2014 for the period of January 1 through June 30, 2015. Finance has completed its review of your ROPS 14-15B, which may have included obtaining clarification for various items.

Based on a sample of line items reviewed and application of the law, Finance made the following determinations:

- Item No. 12 – Professional services and legal fees related to the waterfront costs in the amount of \$33,262 is denied. It is our understanding the Waterfront Disposition and Development Agreement (DDA) and the Fourth Amendment to the DDA between the City of Vallejo (City), Agency, and Callahan LLC. (Developer) states the Agency is obligated to repay advances in the aggregate amount of \$628,077. The Agency received the full funding of \$628,077 in prior ROPS. Therefore, this item is not eligible for Redevelopment Property Tax Trust Funds (RPTTF) in the amount of \$33,262.
- Item Nos. 19, 23, and 24 – Professional services related to the DDA totaling \$18,500 (\$10,000, \$7,500, and \$1,000, respectively) is denied. It is our understanding the Fourth Amendment to the DDA, released the Agency from responsibility for these costs. With the approval of the Fourth Amendment to the DDA, the City has retained the rights and obligation under the DDA. Therefore, this item is not an enforceable obligation and not eligible for RPTTF totaling \$18,500 for this period.

Pursuant to HSC section 34186 (a), successor agencies were required to report on the ROPS 14-15B form the estimated obligations and actual payments (prior period adjustments) associated with the January through June 2014 period. HSC section 34186 (a) also specifies 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 table below includes the prior period adjustment resulting from the CAC's review of the Agency's self-reported prior period adjustment.

Except for items denied in whole, Finance is not objecting to the remaining items listed on your ROPS 14-15B. If you disagree with the determination with respect to any items on your ROPS 14-15B, 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 \$1,073,633 as summarized in the Approved RPTTF Distribution Table below:

Approved RPTTF Distribution	
For the period of January through June 2015	
Total RPTTF requested for non-administrative obligations	1,102,124
Total RPTTF requested for administrative obligations	125,000
Total RPTTF requested for obligations on ROPS	\$ 1,227,124
Total RPTTF requested for non-administrative obligations	1,102,124
<u>Denied Items</u>	
Item No. 12	(33,262)
Item No. 19	(10,000)
Item No. 23	(7,500)
Item No. 24	(1,000)
	(51,762)
Total RPTTF authorized for non-administrative obligations	\$ 1,050,362
Total RPTTF requested for administrative obligations	125,000
Total RPTTF authorized for administrative obligations	\$ 125,000
Total RPTTF authorized for obligations	\$ 1,175,362
ROPS 13-14B prior period adjustment	(101,729)
Total RPTTF approved for distribution	\$ 1,073,633

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

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

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, 2015. 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 the 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 agency in the RPTTF.

Pursuant to HSC section 34177 (a) (3), only those payments listed on an approved ROPS may be made by the successor agency from the funds specified in the ROPS. However, if for whatever reason the Agency needs to make payments for approved obligations from another funding source, HSC section 34177 (a) (4) requires the Agency to first obtain oversight board approval.

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

Sincerely,



JUSTYN HOWARD
Acting Program Budget Manager

cc: Mr. Ron Millard, Assistant Finance Director, City of Vallejo
Ms. Simona Padilla-Scholten, Deputy Auditor Controller, Solano County
California State Controller's Office