DEPARTMENT OF FINANCE

EDMUND G. BROWN JR. • GOVERNOR

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March 27, 2015

Mr. Ken Grey, Executive Director
City of Selma
1710 Tucker Street
Selma, CA 93662

Dear Mr. Grey:

Subject: Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Selma Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS 15-16A) to the California Department of Finance (Finance) on February 17, 2015 for the period of July 1, 2015 through December 31, 2015. Finance has completed its review of your ROPS 15-16A, 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. 2 – Industrial Development Bond debt service payment. The Agency requested $206,250 from Reserve Balances; however, Finance notes that only $130,625 is due for debt service pursuant to the bond covenants. Additionally, Finance notes that the fund source for this item should have been Other Funds. Therefore, with the Agency's consent, Finance has decreased the funding for this item by $75,625 ($206,250 - $130,625), and reclassified the approved funding from Reserve Balances to Other Funds.

Pursuant to our letter dated May 16, 2014, the Fresno County Auditor-Controller (CAC) withheld $125,000 from the Agency's June 1, 2014 Redevelopment Property Tax Trust Fund (RPTTF) allocation in connection with a remittance due of unencumbered Low and Moderate Income Housing Funds and unencumbered Other Funds. The agency's expenditures as supported by the accounting records provided did not fully off-set the amount of the CAC withhold. Therefore, the funding source for the following item has been reclassified to Reserve Balances and in the amount specified below:

- Item No. 5 – Employee Costs. The Agency requests $125,000 from RPTTF; however, Finance is reclassifying $117,186 to Reserve Balances to fully offset the amount of the CAC withhold. Therefore, Finance is approving RPTTF in the amount of $7,814 and the use of Reserve Balances in the amount of $117,186, totaling $125,000.

The administrative costs claimed are within the fiscal year administrative cap pursuant to HSC section 34171 (b). However, Finance notes the oversight board has approved an

amount that appears excessive, given the number and nature of the obligations listed on the ROPS. HSC section 34179 (i) requires the oversight board to exercise a fiduciary duty to the taxing entities. Therefore, Finance encourages the oversight board to apply adequate oversight when evaluating the administrative resources required to successfully wind-down the Agency.

Pursuant to HSC section 34186 (a), successor agencies were required to report on the ROPS 15-16A form the estimated obligations and actual payments (prior period adjustments) associated with the July through December 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. Proposed CAC adjustments were not received in time for inclusion in this letter; therefore, the amount of RPTTF approved in the table below only reflects the prior period adjustment self-reported by the Agency.

Except for the items denied in whole or in part or items that have been reclassified, Finance is not objecting to the remaining items listed on your ROPS 15-16A. If you disagree with the determination with respect to any items on your ROPS 15-16A, 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 $387,670 as summarized in the Approved RPTTF Distribution table below:

Approved RPTTF Distribution For the period of July through December 2015		
Total RPTTF requested for non-administrative obligations		383,256
Total RPTTF requested for administrative obligations		125,000
Total RPTTF requested for obligations on ROPS	**$**	**508,256**
Total RPTTF requested for non-administrative obligations		**383,256**
Total RPTTF authorized for non-administrative obligations	**$**	**383,256**
Total RPTTF requested for administrative obligations		**125,000**
Items reclassified to Reserve Balances		
Item No. 5		(117,186)
Total RPTTF authorized for administrative obligations	**$**	**7,814**
Total RPTTF authorized for obligations	**$**	**391,070**
ROPS 14-15A prior period adjustment		(3,400)
Total RPTTF approved for distribution	**$**	**387,670**

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 15-16A review, Finance requested financial records to support the cash balances reported by the Agency. The Agency was unable to support the amounts reported for Reserve Balances and Other Funds. Finance will continue to work with the Agency after the ROPS 15-16A review period to resolve any remaining issues as described above. If it is determined the Agency possesses additional 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 15-16B.

Please refer to the ROPS 15-16A 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 July 1 through December 31, 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 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 Nichelle Thomas, Supervisor or Alexander Watt, Lead Analyst at (916) 445-1546.

Sincerely,

JUSTYN HOWARD
Program Budget Manager

cc: Mr. Neal E. Costanzo, Agency Counsel, City of Selma
Mr. George Gomez, Accounting Financial Manager, Fresno County
California State Controller's Office