



May 15, 2015

Mr. Rogelio Sanchez, Finance Director
City of Wasco
764 E Street
Wasco, CA 93280

Dear Mr. Sanchez:

Subject: Recognized Obligation Payment Schedule

This letter supersedes the California Department of Finance's (Finance) Recognized Obligation Payment Schedule (ROPS) letter dated March 23, 2015. Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Wasco Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS 15-16A) to Finance on February 17, 2015 for the period of July through December 2015. Finance issued a ROPS determination letter on March 23, 2015. Subsequently, the Agency requested a Meet and Confer session on one or more of the determinations made by Finance. The Meet and Confer session was held on April 6, 2015.

Based on a review of additional information and documentation provided to Finance during the Meet and Confer process, Finance has completed its review of the specific determinations being disputed.

- Item No. 1 – Industrial Park in the amount of \$820,000. Finance no longer denies this item. Finance initially denied this item because insufficient documentation was provided to support the amounts claimed. The Agency had provided the Financing Agreement (Agreement), debt service schedule, the former Wasco Redeployment Agency (RDA) Resolution No. 92-29, and City Resolution No. 92-1480 to support this obligation.

The Financing Agreement is an agreement between the City and the former RDA. Pursuant to HSC section 34171 (d) (2), agreements between the former RDA and the city that created the RDA are not enforceable obligations unless issued within the first two years of the RDA's existence, or if the agreements were entered into at the time of issuance of indebtedness obligations and solely for the purpose of securing or repaying those indebtedness obligations. City Resolution No. 92-1480, indicates the City of Wasco Assessment District No. 1992-1 Improvement Bonds were to be issued.

During the Meet and Confer process, the Agency provided the Official Statement for the bonds dated December 15, 1992. The Financing Agreement was entered into at the time of issuance of indebtedness obligations and solely for the purpose of securing or repaying those indebtedness obligations. Therefore, this item is eligible for Redevelopment Property Tax Trust Fund (RPTTF) funding.

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 (l) 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 item denied in whole or in part, Finance is not objecting to the remaining items listed on your ROPS 15-16A. The Agency's maximum approved RPTTF distribution for the reporting period is \$460,950 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 | 335,950 |
| Total RPTTF requested for administrative obligations | 125,000 |
| Total RPTTF requested for obligations on ROPS | \$ 460,950 |
| Total RPTTF requested for non-administrative obligations | 335,950 |
| Total RPTTF authorized for non-administrative obligations | \$ 335,950 |
| Total RPTTF requested for administrative obligations | 125,000 |
| Total RPTTF authorized for administrative obligations | \$ 125,000 |
| Total RPTTF authorized for obligations | \$ 460,950 |
| ROPS 14-15A prior period adjustment | 0 |
| Total RPTTF approved for distribution | \$ 460,950 |

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; however, the Agency was unable to support the expenditures and cash balance amounts reported. As a result, Finance will continue to work with the Agency after the ROPS 15-16A review period to properly identify the Agency's cash balances. If it is determined the Agency possesses 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>

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 Evelyn Suess, Dispute Resolution Supervisor, or Mary Halterman, Analyst, at (916) 445-3274.

Sincerely,



JUSTYN HOWARD
Program Budget Manager

cc: Ms. Duviet Rodriguez, City Clerk, City of Wasco
Ms. Mary B. Bedard, Auditor-Controller, Kern County
California State Controller's Office

I:\Audits and Review\ROPS 15-16A Letters\Justyn's Suspense

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