DEPARTMENT OF FINANCE

EDMUND G. BROWN JR. • GOVERNOR
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October 13, 2012

Ms. Wendy S. Saunders, Director Economic Development Department
City of Stockton
425 North El Dorado Street
Stockton, CA 95202

Dear Ms. Saunders:

Subject: Recognized Obligation Payment Schedule

Pursuant to Health and Safety Code (HSC) section 34177 (m), the City of Stockton Successor Agency (Agency) submitted a Recognized Obligation Payment Schedule (ROPS III) to the California Department of Finance (Finance) on August 29, 2012 for the period of January through June 2013. Finance has completed its review of your ROPS III, which may have included obtaining clarification for various items.

HSC section 34171 (d) defines enforceable obligations. Based on our review and application of the law, Item No. 1 and 10 – 2003 Housing Certificates of Participation for $20.9 million are not eligible for Redevelopment Property Tax Trust Fund (RPTTF) funding. The bonds are enforceable obligations; however, the repayment is pledged by lease revenue payments from the City of Stockton (City) to the Agency. The lease payments are enough to make the bond payments. Although there is an agreement in place for the Agency to reimburse the City for these lease payments, this agreement is void pursuant to HSC section 34171 (d) (2). HSC section 34171 (d) (2) states that agreements, contracts, or arrangements between the city that created the redevelopment agency (RDA) and the former RDA are not enforceable.

Except for items denied in whole or in part as enforceable obligations as noted above, Finance is approving the remaining items listed in your ROPS III. If you disagree with the determination with respect to any items on your ROPS III, 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: $4,282,936 as summarized below:

Approved RPTTF Distribution Amount For the period of January through June 2013		
Total RPTTF funding requested for obligations	$	4,575,000
Less: Six-month total for item(s) denied or reclassified as administrative cost		
Item No. 1		318,798
Item No. 10		98,266
Total approved RPTTF for enforceable obligations	$	4,157,936
Plus: Allowable RPTTF distribution for administrative cost for ROPS III		125,000
Total RPTTF approved:	$	4,282,936

Pursuant to HSC section 34186 (a), successor agencies were required to report on the ROPS III form the estimated obligations and actual payments associated with the January through June 2012 period. The amount of RPTTF approved in the above table will be adjusted by the county auditor-controller to account for differences between actual payments and past estimated obligations. Additionally, these estimates and accounts are subject to audit by the county auditor-controller and the State Controller.

Please refer to the ROPS III schedule that was used to calculate the approved RPTTF amount:

http://www.dof.ca.gov/redevelopment/ROPS/ROPS III Forms by Successor Agency/.

All items listed on a future ROPS are subject to a subsequent review. An item included on a future ROPS may be denied even if it was not questioned from the preceding ROPS.

The amount available from the RPTTF is the same as the 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.

Please direct inquiries to Robert Scott, Supervisor or Jenny DeAngelis, Lead Analyst at (916) 445-1546.

Sincerely,

STEVE SZALAY
Local Government Consultant

cc: Ms. LaVerna Blanco, Program Manager, City of Stockton
Mr. Adrian Van Houten, Auditor-Controller, County of San Joaquin
Ms. Sandra Chan, Chief Deputy Auditor Controller, County of San Joaquin
Mr. Jeff Woltkamp, Assistant County Auditor Controller, County of San Joaquin