



CITY OF GALT

A G E N D A

REGULAR MEETING OF THE GALT REDEVELOPMENT OVERSIGHT BOARD

COUNCIL CHAMBERS, 380 CIVIC DRIVE
GALT, CALIFORNIA

THURSDAY, DECEMBER 13, 2012, 1:30 PM

NOTE: Speaker Request Sheets are provided on the table inside the entrances to the council chambers. If you wish to address the board during the meeting, please complete a speaker sheet and give it to the city clerk. A maximum of three minutes is allowed for each speaker.

NOTE: If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's office, 209-366-7130, 380 Civic Drive, at least two days prior to the meeting.

NOTE: Public records, including writings relating to an agenda item for open session of a regular meeting and distributed less than 72 hours prior to the meeting, are available for public inspection at the City Clerk's Office, 380 Civic Drive, Galt, California.

NOTE: Please turn off all cell phones and pagers during the council meeting.

A. CALL MEETING TO ORDER:

Roll Call: Board Members: **Parker, Carson, Ebner, Kiriu, Marx, Puentes-Griffith, Schauer**

B. AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS:

C. PRESENTATIONS:

D. PUBLIC COMMENT: - Under Government Code Section 54954.3, members of the public may address the Board on non-agenda items. Speakers may address the Board on any agenda item during consideration of the item. Speakers shall restrict their comments to issues that are within the subject jurisdiction of the Oversight Board and limit comments to a maximum of three minutes. Please fill out a speaker sheet located on the table inside the entrances to the council chambers and forward the completed speaker sheet to the city clerk.

E. REGULAR BUSINESS ITEMS:

1. **SUBJECT:** Independent Accountants Report relating to Due Diligence Review (excluding the Low and Moderate Income Housing Fund) required per Health and Safety Code Section 34179.5(c)(1) through 34179.5(c)(6).
STAFF REPORT: Behrmann

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RECOMMENDED ACTION: Adopt a resolution accepting the Due Diligence Review (DDR) of the Successor Agency (Excluding the Low and Moderate Income Housing ((LMIH) Fund) Assets.

F. COMMENTS BY STAFF

G. COMMENTS BY OVERSIGHT BOARD MEMBERS / FUTURE AGENDA ITEMS

ADJOURNMENT

City Clerk Agenda Report: The agenda for this Oversight Board Meeting was posted in the following listed sites before the close of business at 5:00 pm on the Thursday preceding the meeting:

1. City Hall Lobby, 380 Civic Drive;
2. U.S. Post Office, 600 N. Lincoln Way; and
3. Marian O. Lawrence Library, 1000 Caroline Avenue.



OVERSIGHT BOARD AGENDA REPORT

Meeting Date: December 13, 2012
Item Number:

FROM: Jason Behrmann, City Manager

BY: Inez Kiriu, Finance Director

SUBJECT: INDEPENDENT ACCOUNTANTS REPORT RELATING TO DUE DILIGENCE REVIEW (EXCLUDING THE LOW AND MODERATE INCOME HOUSING FUND) REQUIRED PER HEALTH AND SAFETY CODE SECTION 34179.5(c) (1) THROUGH 34179.5(c) (6)

RECOMMENDATION

That the Oversight Board adopt a resolution accepting the due diligence review (DDR) of the Successor Agency (Excluding the Low and Moderate Income Housing ((LMIH)) Fund) Assets.

BACKGROUND

As the Oversight Board is aware on June 29, 2011, the Governor signed into law Assembly Bill X1 26 (ABX1 26) as part of the State budget package which basically abolishes every redevelopment agency as of February 1, 2012. As part of the 2012-13 fiscal year state budget package, on June 27, 2012, the Legislature passed and the Governor signed AB 1484, making technical and substantive amendments to ABX1 26.

DISCUSSION

AB 1484 requires that the Successor Agencies perform additional financial review including the completion of a DDR for both housing and non-housing assets. On August 27, 2012, the California Department of Finance (DOF) issued the procedures of the DDR.

On September 18, 2012, the Successor Agency hired Maze and Associates to perform a DDR of all assets of the former Agency and Successor Agency, including all transfers, cash balances, enforceable obligations, and assets, from January 1, 2011 to June 30, 2012 to determine the unobligated balance available for transfer to the taxing agencies.

The DDR (excluding the LMIH Fund) has been completed by Maze and Associates and is attached for review.

City Manager Approval: 

TYPE OF ITEM:

- Consent
- Departmental
- Public Hearing
- Redevelopment Agency
- Other

COUNCIL ACTION: Approved Denied Revised

Reso No _____ Ord No _____

Moved By:

Seconded By:

Vote:

RESOLUTION NO. 2012-OB

**A RESOLUTION OF THE OVERSIGHT BOARD OF THE CITY OF GALT
APPROVING THE DUE DILIGENCE REVIEW (EXCLUDING THE LOW AND
MODERATE INCOME HOUSING FUND) PURSUANT TO HEALTH AND
SAFETY CODE SECTION 34179.5(c) (1) THROUGH 34179.5(c) (6)**

WHEREAS, pursuant to the Community Redevelopment Law (Health and Safety Code Sections 33000 *et seq.*), the City Council of the City of Galt (“City”) created the Redevelopment Agency of the City of Galt (“Agency”); and

WHEREAS, the Agency has been responsible for implementing the Redevelopment Plan(s) for the Galt Redevelopment Project(s) covering certain properties within the City (“Project Area”); and

WHEREAS, as part of the 2011-2012 State budget bill, the California State Legislature enacted, and the Governor signed ABX1 26, which eliminated redevelopment agencies; and

WHEREAS, on December 29, 2011 the Supreme Court found ABX1 26 to be constitutional and upheld the state’s ability to dissolve redevelopment agencies; and

WHEREAS, as part of the 2012-2013 fiscal year state budget package, on June 27, 2012, the Legislature passed and the Governor signed AB 1484, making substantive and technical changes to ABX1 26; and

WHEREAS, Health and Safety Code Section 34179.5(c) (1) through 34179.5(c) (6), enacted by AB 1484, requires Successor Agencies to former redevelopment agencies to perform additional financial reviews, including the completion of a due diligence review (“DDR”) for both housing and non-housing assets; and

WHEREAS, the City of Galt elected to become the Successor Agency for the Redevelopment Agency on January 17, 2012; and

WHEREAS, the DDR (excluding the low and moderate income housing fund) has been completed by Maze and Associates, and on December 4, 2012, the DDR was submitted to the Successor Agency; and

WHEREAS, the Successor Agency forwarded the report to the Oversight Board for review and approval; and

WHEREAS, pursuant to Health and Safety Code section 34179.6, upon receipt of the DDR, the Oversight Board is required to convene a public comment session to take place at least five business days before the Oversight Board holds the approval vote specified in subdivision (c) of Section 34179.6, and such public comment session was held on December 6, 2012; and

WHEREAS, Health and Safety Code section 34179.6 further requires the Oversight Board to review, approve, and transmit to the State Department of Finance and the County auditor-controller the determination of the amount of cash and cash equivalents that are available for disbursement to taxing entities as determined in the DDR, according to the method provided in Health and Safety Code section 34179.5; and

WHEREAS, the Oversight Board has reviewed the DDR (excluding housing assets).

RESOLUTION NO. 2012-OB
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NOW, THEREFORE, THE OVERSIGHT BOARD OF THE CITY OF GALT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. Approval of the Due Diligence Review. The Oversight Board hereby approves the due diligence review (excluding the Low and Moderate Income Housing Fund) as completed by Maze and Associates as required by Health and Safety Code Section 34179.5, including the finding that no additional funds are available for disbursement to taxing entities.

Section 3. Posting; Transmittal to Appropriate Agencies. The City Manager is hereby authorized and directed to transmit, by mail or electronic means, to the Department of Finance and the County auditor-controller, the completed due diligence review (excluding the Low and Moderate Income Housing Fund).

PASSED AND ADOPTED by the Board Members of the Oversight Board of the City of Galt, this 13th day of December 2012, upon a motion by Board Member_____, seconded by Board Member_____, by the following vote, to wit:

AYES:	Board members:
NOES:	Board members:
ABSTAIN:	Board members:
ABSENT:	Board members:

CHAIRPERSON, Oversight Board

ATTEST:

Secretary, Oversight Board

**INDEPENDENT ACCOUNTANT'S REPORT ON
APPLYING AGREED UPON PROCEDURES ON
ALL OTHER FUNDS OF
THE SUCCESSOR AGENCY
(EXCLUDING THE LOW AND MODERATE INCOME HOUSING FUND)
ASSOCIATED WITH CALIFORNIA HEALTH AND SAFETY
CODE SECTIONS 34179.5(c)(1) THROUGH 34179.5(c)(6)**

To the Oversight Board of the Successor Agency of
the Redevelopment Agency of the City of Galt

We have applied the procedures below, which were agreed to by the Successor Agency of the Redevelopment Agency of the City of Galt, Galt, California, solely to assist you with respect to the procedures required under California Health and Safety Code Sections 34179.5(c)(1) through 34179.5(c)(6), referred to as the "due diligence review" by the Code, for the All Other Funds (excluding the Low and Moderate Income Housing Fund) of the Successor Agency of the Redevelopment Agency of the City of Galt for the year ended June 30, 2012. These procedures were suggested by the Governmental Auditing and Accounting Committee, as agreed to by the California State Department of Finance and State Controller's Office. Management of the Successor Agency is responsible for the accounting records and the Attachments pertaining to the statutory compliance pursuant to Health and Safety Code Section 34179.5. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of the specified users of this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures you requested us to perform and our findings were as follows:

Citation:

34179.5(c)(1) The dollar value of assets transferred from the former redevelopment agency to the successor agency on or about February 1, 2012.

Suggested Procedure(s):

1. Obtain from the Successor Agency a listing of all assets that were transferred from the former redevelopment agency to the Successor Agency on February 1, 2012. Agree the amounts on this listing to account balances established in the accounting records of the Successor Agency. Identify in the Agreed-Upon Procedures (AUP) report the amount of the assets transferred to the Successor Agency as of that date.

Results: We obtained the following listing from the staff of the City of Galt and agreed the amount transferred to the Successor Agency to the accounting records without exception.

	Redevelopment Agency Fund Balances January 31, 2012 (Prior to transfer)	Balances transferred to Housing Successor on February 1, 2012	Balances transferred to the Successor Agency on February 1, 2012
ASSETS			
Current assets:			
Cash and investments	\$576,980	\$97,926	\$479,054
Restricted cash and investments with fiscal agents	<u>8,945,245</u>	<u></u>	<u>8,945,245</u>
Total current assets	<u>9,522,225</u>	<u>97,926</u>	<u>9,424,299</u>
Noncurrent assets:			
Deferred loans	6,253,915	4,964,025 (A)	1,289,890
Due from Housing Successor	<u>279,609</u>	<u></u>	<u>279,609</u>
Total noncurrent assets	<u>6,533,524</u>	<u>4,964,025</u>	<u>1,569,499</u>
Total Assets	<u><u>\$16,055,749</u></u>	<u><u>\$5,061,951</u></u>	<u><u>\$10,993,798</u></u>

- (A) In the previously issued Independent Accountant's Report on Applying Agreed upon Procedures on the Low and Moderate Income Housing Fund Associated with California Health and Safety Code Sections 341769.5(c)(1) through 34179.5(c)(3) and Sections 34179(c)(5) through 34179.5(c)(6), dated October 11, 2012, the City reported deferred loans transferred to the Housing Successor of \$4,968,666. Subsequently, during the year-end closing process, the City made an adjustment of \$4,641 to the February 1, 2012 deferred loans balance. This adjustment was for loan repayment that was previously recorded as income. As a result, \$4,964,025 was transferred to the Housing Successor.

Citation:

34179.5(c)(2) The dollar value of assets and cash and cash equivalents transferred after January 1, 2011, through June 30, 2012, by the redevelopment agency or the successor agency to the city, county, or city and county that formed the redevelopment agency and the purpose of each transfer. The review shall provide documentation of any enforceable obligation that required the transfer.

Suggested Procedure(s):

2. If the State Controller's Office has completed its review of transfers required under both Sections 34167.5 and 34178.8 and issued its report regarding such review, attach a copy of that report as an exhibit to the AUP report. If this has not yet occurred, perform the following procedures:
 - A. Obtain a listing prepared by the Successor Agency of transfers (excluding payments for goods and services) from the former redevelopment agency to the city, county, or city and county that formed the redevelopment agency for the period from January 1, 2011 through January 31, 2012. For each transfer, the Successor Agency should describe the purpose of the transfer and describe in what sense the transfer was required by one of the Agency's enforceable obligations or other legal requirements. Provide this listing as an attachment to the AUP report.

Results: The State Controller’s Office has not yet completed its review of transfers. Per our inquiries with City staff, during the period January 1, 2011 through January 31, 2012, the former Redevelopment Agency made the following transfers (excluding payments for goods and services) to the City. For each of the transfers listed, we traced to legal agreements with exception to the sales tax due to the City. H & S Code 34171 (d)(2) states that, "enforceable obligation does not include any agreements, contracts, or arrangements between the city, county, or city and county that created the redevelopment agency and the former redevelopment agency. However, written agreements entered into (A) at the time of issuance, but in no event later than December 31, 2010, of indebtedness obligations, and (B) solely for the purpose of securing or repaying those indebtedness obligations may be deemed enforceable obligations for purposes of this part." "Sales tax due to the city" represents sales tax generated by the Agency in excess of agreed upon amounts for debt service related to the Galt Middle School project dated 1990. The Agency adopted a sales and use tax ordinance covering taxable retail sales and agreed to contribute to the payment of debt service on the bonds, a portion of sales taxes in the amount of \$60,000 for fiscal year 2006-2007 and declining by \$5000 each year thereafter. The final bond payment was due on September 2012 which was funded by the reserve fund, hence the sales tax pledge was no longer required and resolution 2012-01R rescinding the Agency sales tax was signed on January 12, 2012, which is after December 31, 2010. See listing below:

Date	Purpose	Amount	Qualification
9/6/2011	Pass Through payments	\$46,887.00	Legal Requirement per Sacramento County AB1290 pass-thru calculation.
1/6/2011	Sales Tax due to the City	65,182.27	Amount in excess of pledged sales tax for debt service.
1/13/2011	Sales Tax due to the City	35,500.00	Amount in excess of pledged sales tax for debt service.
3/1/2011	Sales Tax due to the City	47,200.00	Amount in excess of pledged sales tax for debt service.
3/30/2011	Sales Tax due to the City	42,914.33	Amount in excess of pledged sales tax for debt service.
4/29/2011	Sales Tax due to the City	32,600.00	Amount in excess of pledged sales tax for debt service.
5/25/2011	Sales Tax due to the City	47,800.00	Amount in excess of pledged sales tax for debt service.
6/24/2011	Sales Tax due to the City	45,533.97	Amount in excess of pledged sales tax for debt service.
6/29/2011	Repayment of Loan from City of Galt (loan consolidation)	62,341.00	Legal Requirement to repay the Galt Place Loan signed on November 8, 2008.
7/19/2011	Sales Tax due to the City	40,400.00	Amount in excess of pledged sales tax for debt service.
8/27/2011	Sales Tax due to the City	53,700.00	Amount in excess of pledged sales tax for debt service.
9/27/2011	Sales Tax due to the City	49,536.10	Amount in excess of pledged sales tax for debt service.
10/12/2011	Sales Tax due to the City	40,500.00	Amount in excess of pledged sales tax for debt service.
11/15/2011	Sales Tax due to the City	53,900.00	Amount in excess of pledged sales tax for debt service.
12/28/2011	Sales Tax due to the City	61,204.67	Amount in excess of pledged sales tax for debt service.
1/12/2012	Sales Tax due to the City	36,900.00	Amount in excess of pledged sales tax for debt service.
1/30/2012	Repayment of advance from the City for the D&S final payment	73,000.00	Legal Requirement per loan agreement with D&S development.
1/30/2012	Repayment to the City of Galt for advances	530,588.00	Repay advance from General Fund made to pay obligations made on 9/6/11 in #3a below.
1/30/2012	Repayment of advance from the City for the 2011 A&B debt payment.	668,839.59	Repay loan from General Fund made to avoid default on bond payment.
1/30/2012	JPA Property Tax	33,000.00	Pledge of tax revenue to fund debt serve for the 1999 JPA CFD#1 Bonds

- B. Obtain a listing prepared by the Successor Agency of transfers (excluding payments for goods and services) from the Successor Agency to the city, county, or city and county that formed the redevelopment agency for the period from February 1, 2012 through June 30, 2012. For each transfer, the Successor Agency should describe the purpose of the transfer and describe in what sense the transfer was required by one of the Agency's enforceable obligations or other legal requirements. Provide this listing as an attachment to this Agreed Upon Procedures report.

Results: Per inquiry of City staff, the Successor Agency did not make any transfers (excluding payments for goods and services) to the City for the period from February 1, 2012 through June 30, 2012.

- C. For each transfer, obtain the legal document that formed the basis for the enforceable obligation that required any transfer. Note in the AUP report the absence of any such legal document or the absence of language in the document that required the transfer.

Results: See 2A above.

Citation:

34179.5(c)(3) The dollar value of any cash or cash equivalents transferred after January 1, 2011, through June 30, 2012, by the redevelopment agency or the successor agency to any other public agency or private party and the purpose of each transfer. The review shall provide documentation of any enforceable obligation that required the transfer.

Suggested Procedure(s):

3. If the State Controller's Office has completed its review of transfers required under both Sections 34167.5 and 34178.8 and issued its report regarding such review, attach a copy of that report as an exhibit to this Agreed Upon Procedures report. If this has not yet occurred, perform the following procedures:
 - A. Obtain a listing prepared by the Successor Agency of transfers (excluding payments for goods and services) from the former redevelopment agency to any other public agency or to private parties for the period from January 1, 2011 through January 31, 2012. For each transfer, the Successor Agency should describe the purpose of the transfer and describe in what sense the transfer was required by one of the Agency's enforceable obligations or other legal requirements. Provide this listing as an attachment to this Agreed Upon Procedures report.

Results: Per inquiry of City staff, the former Redevelopment Agency made the following transfers (excluding payments for goods and services) to other public agencies or to private parties for the period from January 1, 2011 through January 31, 2012. For each of the transfers listed, we traced to the legal document without exception. See listing below:

Date	Purpose	Amount	Qualification
2/28/2011	Debt Service Bank of New York	\$64,188.03	Legal requirement per 2002 TAB official statement
5/3/2011	County of Sacramento Supplemental Education Revenue Augmentation Fund (SERAF)	232,507.00	Legal requirement per Health and Safety Code Section 33690.5
9/6/2011	Cosumnes Community Services District settlement	389,491.00	Legal requirement per settlement agreement.
9/6/2011	Galt Arno Cemetary District pass through	991.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.
9/6/2011	Galt Joint Union pass through	10,834.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.
9/6/2011	Galt Joint Union pass through	18,077.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.
9/6/2011	Sacramento County General Fund pass through	22,942.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.
9/6/2011	Sacramento County Office pass through	11,037.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.
9/6/2011	Sacramento-Yolo Mosquito Abatement pass through	1,119.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.
9/6/2011	Sacramento County pass through	18,384.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.
9/6/2011	Sacramento Library pass through	2,633.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.
9/6/2011	San Joaquin Delta College pass through	4,351.00	Legal requirement per Sacramento County AB1290 pass-thru calculation.

- B. Obtain a listing prepared by the Successor Agency of transfers (excluding payments for goods and services) from the Successor Agency to any other public agency or private parties for the period from February 1, 2012 through June 30, 2012. For each transfer, the Successor Agency should describe the purpose of the transfer and describe in what sense the transfer was required by one of the Agency's enforceable obligations or other legal requirements. Provide this listing as an attachment to this Agreed Upon Procedures report.

Results: Per inquiry of City staff, the Successor Agency made the following transfer (excluding payments for goods and services) to other public agencies or to private parties for the period from February 1, 2012 through June 30, 2012. For the transfer listed, we traced to the legal document without exception. See listing below:

Date	Purpose	Amount	Qualification
2/29/2012	Debt service payment to BNY	\$536,545	Legal requirement per 2011 A & B official statement

- C. For each transfer, obtain the legal document that formed the basis for the enforceable obligation that required any transfer. Note in the AUP report the absence of any such legal document or the absence of language in the document that required the transfer.

Results: See responses to 3A and B above.

Citation:

34179.5(c)(4) The review shall provide expenditure and revenue accounting information and identify transfers and funding sources for the 2010–11 and 2011–12 fiscal years that reconciles balances, assets, and liabilities of the successor agency on June 30, 2012 to those reported to the Controller for the 2009–10 fiscal year.

Suggested Procedure(s):

4. Perform the following procedures:
 - A. Obtain from the Successor Agency a summary of the financial transactions of the Redevelopment Agency and the Successor Agency in the format set forth in Attachment A for the fiscal periods indicated in the schedule. For purposes of this summary, the financial transactions should be presented using the modified accrual basis of accounting. End of year balances for capital assets (in total) and long-term liabilities (in total) should be presented at the bottom of this summary schedule for information purposes.
 - B. Ascertain that for each period presented, the total of revenues, expenditures, and transfers accounts fully for the changes in equity from the previous fiscal period.
 - C. Compare amounts in the schedule relevant to the fiscal year ended June 30, 2010 to the state controller's report filed for the Redevelopment Agency for that period.
 - D. Compare amounts in the schedule for the other fiscal periods presented to account balances in the accounting records or other supporting schedules. Describe in the report the type of support provided for each fiscal period.

Results: We obtained Attachment A from City staff. We performed the procedures above without exception.

Citation:

34179.5(c)(5) A separate accounting for the balance for the Low and Moderate Income Housing Fund for all other funds and accounts combined shall be made as follows:

(A) A statement of the total value of each fund as of June 30, 2012.

Suggested Procedure(s):

5. Obtain from the Successor Agency a listing of all assets of the Low and Moderate Income Housing Fund as of June 30, 2012 for the report that is due October 1, 2012 and a listing of all assets of all other funds of the Successor Agency as of June 30, 2012 (excluding the previously reported assets of the Low and Moderate Income Housing Fund) for the report that is due December 15, 2012. When this procedure is applied to the Low and Moderate Income Housing Fund, the schedule attached as an exhibit will include only those assets of the Low and Moderate Income Housing Fund that were held by the Successor Agency as of June 30, 2012 and will exclude all assets held by the entity that assumed the housing function previously performed by the former redevelopment agency. Agree the assets so listed to recorded balances reflected in the accounting records of the Successor Agency. The listings should be attached as an exhibit to the appropriate AUP report.

Results: We obtained Attachment B from City staff and agreed the assets listed to the accounting records without exception.

Citation:

34179.5(c)(5)(B) An itemized statement listing any amounts that are legally restricted as to purpose and cannot be provided to taxing entities. This could include the proceeds of any bonds, grant funds, or funds provided by other governmental entities that place conditions on their use.

Suggested Procedure(s):

6. Obtain from the Successor Agency a listing of asset balances held on June 30, 2012 that are restricted for the following purposes:

- A. Unspent bond proceeds:
 - i. Obtain the Successor Agency's computation of the restricted balances (e.g., total proceeds less eligible project expenditures, amounts set aside for debt service payments, etc.)
 - ii. Trace individual components of this computation to related account balances in the accounting records, or to other supporting documentation (specify in the AUP report a description of such documentation).
 - iii. Obtain from the Successor Agency a copy of the legal document that sets forth the restriction pertaining to these balances. Note in the AUP report the absence of language restricting the use of the balances that were identified by the Successor Agency as restricted.

Results: Per inquiry of City staff, the Successor Agency held the following balances of unspent bond proceeds as of June 30, 2012. We agreed the balances to the accounting records and legal documents without exception.

<u>Type of Asset</u>	<u>Amount</u>	<u>Restricted Period of Time</u>
Cash and investments	\$6,102	Until assets are expended
Restricted cash and investments	<u>7,573,597</u>	Until assets are expended
Total unspent bond proceeds	<u><u>\$7,579,699</u></u>	

- B. Grant proceeds and program income that are restricted by third parties:
 - i. Obtain the Successor Agency's computation of the restricted balances (e.g., total proceeds less eligible project expenditures).
 - ii. Trace individual components of this computation to related account balances in the accounting records, or to other supporting documentation (specify in the AUP report a description of such documentation).
 - iii. Obtain from the Successor Agency a copy of the grant agreement that sets forth the restriction pertaining to these balances. Note in the AUP report the absence of language restricting the use of the balances that were identified by the Successor Agency as restricted.

Results: Per inquiry of City staff, there were no such grant proceeds or program income that was restricted for this purpose as of June 30, 2012.

- C. Other assets considered to be legally restricted:
 - i. Obtain the Successor Agency's computation of the restricted balances (e.g., total proceeds less eligible project expenditures).
 - ii. Trace individual components of this computation to related account balances in the accounting records, or to other supporting documentation (specify in the AUP report a description of such documentation).
 - iii. Obtain from the Successor Agency a copy of the legal document that sets forth the restriction pertaining to these balances. Note in the AUP report the absence of language restricting the use of the balances that were identified by Successor the Agency as restricted.

Results: Per inquiry of City staff, the Successor Agency had cash and investments of \$1,334,616 held by bond trustees for the purpose of fulfilling bond reserve requirements. The restriction is in effect until the last debt service payment is made. We agreed the balance to the accounting records and legal documents without exception.

D. Attach the above mentioned Successor Agency prepared schedule(s) as an exhibit to the AUP report. For each restriction identified on these schedules, indicate in the report the period of time for which the restrictions are in effect. If the restrictions are in effect until the related assets are expended for their intended purpose, this should be indicated in the report.

Results: See responses to 6A and 6C above.

Citation:

34179.5(c)(5)(C) An itemized statement of the values of any assets that are not cash or cash equivalents. This may include physical assets, land, records, and equipment. For the purpose of this accounting, physical assets may be valued at purchase cost or at any recently estimated market value. The statement shall list separately housing-related assets.

Suggested Procedure(s):

7. Perform the following procedures:

- A. Obtain from the Successor Agency a listing of assets as of June 30, 2012 that are **not** liquid or otherwise available for distribution (such as capital assets, land held for resale, long-term receivables, etc.) and ascertain if the values are listed at either purchase cost (based on book value reflected in the accounting records of the Successor Agency) or market value as recently estimated by the Successor Agency.
- B. If the assets listed at 7(A) are listed at purchase cost, trace the amounts to a previously audited financial statement (or to the accounting records of the Successor Agency) and note any differences.
- C. For any differences noted in 7(B), inspect evidence of disposal of the asset and ascertain that the proceeds were deposited into the Successor Agency trust fund. If the differences are due to additions (this generally is not expected to occur), inspect the supporting documentation and note the circumstances.
- D. If the assets listed at 7(A) are listed at recently estimated market value, inspect the evidence (if any) supporting the value and note the methodology used. If no evidence is available to support the value and/or methodology, note the lack of evidence.

Results: Per Inquiry of City staff, the Successor Agency held deferred loans in the amount of \$1,305,481 as of June 30, 2012 that were **not** liquid or otherwise available for distribution. We traced the balance of the loans to accounting records without exception.

Citation:

34179.5(c)(5)(D) An itemized listing of any current balances that are legally or contractually dedicated or restricted for the funding of an enforceable obligation that identifies the nature of the dedication or restriction and the specific enforceable obligation. In addition, the successor agency shall provide a listing of all approved enforceable obligations that includes a projection of annual spending requirements to satisfy each obligation and a projection of annual revenues available to fund those requirements. If a review finds that future revenues together with dedicated or restricted balances are insufficient to fund future obligations and thus retention of current balances is required, it shall identify the amount of current balances necessary for retention. The review shall also detail the projected property tax revenues and other general purpose revenues to be received by the successor agency, together with both the amount and timing of the bond debt service payments of the successor agency, for the period in which the oversight board anticipates the successor agency will have insufficient property tax revenue to pay the specified obligations.

Suggested Procedure(s):

8. Perform the following procedures:

A. If the Successor Agency believes that asset balances need to be retained to satisfy enforceable obligations, obtain from the Successor Agency an itemized schedule of asset balances (resources) as of June 30, 2012 that are dedicated or restricted for the funding of enforceable obligations and perform the following procedures. The schedule should identify the amount dedicated or restricted, the nature of the dedication or restriction, the specific enforceable obligation to which the dedication or restriction relates, and the language in the legal document that is associated with the enforceable obligation that specifies the dedication of existing asset balances toward payment of that obligation.

- i. Compare all information on the schedule to the legal documents that form the basis for the dedication or restriction of the resource balance in question.
- ii. Compare all current balances to the amounts reported in the accounting records of the Successor Agency or to an alternative computation.
- iii. Compare the specified enforceable obligations to those that were included in the final Recognized Obligation Payment Schedule approved by the California Department of Finance.
- iv. Attach as an exhibit to the report the listing obtained from the Successor Agency. Identify in the report any listed balances for which the Successor Agency was unable to provide appropriate restricting language in the legal document associated with the enforceable obligation.

Results: Per inquiry of City staff, the Successor Agency held the following assets at June 30, 2012, to be retained to satisfy the following enforceable obligations. We agreed the asset balances to accounting records without exception. For each obligation, we traced to legal documents without exception. For obligations listed on the Recognized Obligation Payment Schedules (ROPs), we traced to ROPs approved by the California Department of Finance. See the table below:

		<u>Total Assets to be Retained</u>
Cash and investments		\$79
Accounts receivable		742
Due from Housing Successor		<u>279,609</u>
Total assets to be retained		<u><u>\$280,351</u></u>
		<u>Total Obligations to be Fulfilled</u>
Due to the City of Galt Successor Housing Fund	(a)	\$67,050
Due to Cosumnes Community Services District	(b)	340,848
Loans payable to the City of Galt	(c)	<u>4,381,562</u>
Total obligations to be fulfilled		<u><u>\$4,789,460</u></u>
Total obligations in excess of assets		<u><u>\$4,509,109</u></u>

- (a) Operating expenditures within the General Fund of the Agency created a shortfall in cash, amounts from the LMIH fund were transferred to cover “dry period funding”. As of February 1, 2012, the City became the successor to the housing agency. Subsequently, this amount was offset by the 20% LMIH set aside no longer required. This amount is not included in any of the final ROPS because it was an internal loan to cover the deficit in cash as of 6/30/12.
- (b) Settlement Agreement dated November 18, 2008 between the City of Galt, Redevelopment Agency of the City of Galt, and the Cosumnes Community Services District states that the Agency shall make a payment to the CCSD in each year that tax increment is received based upon a predetermined formula. This agreement was included in ROPS 1 & 2 which was approved by the Oversight Board and approved by DOF however, there was insufficient funding to cover this obligation and it was not paid.
- (c) Amounts are reflective of loan consolidation agreement between the City of Galt and Redevelopment Agency of the City of Galt for various redevelopment projects dated May 3, 2011. This agreement was included in ROPS 1 & 2 which was approved by the Oversight Board. Loan Consolidation is a permitted enforceable obligation pursuant to H&S Section 34191.3(b)(1).

- B. If the Successor Agency believes that future revenues together with balances dedicated or restricted to an enforceable obligation are insufficient to fund future obligation payments and thus retention of current balances is required, obtain from the Successor Agency a schedule of approved enforceable obligations that includes a projection of the annual spending requirements to satisfy each obligation and a projection of the annual revenues available to fund those requirements and perform the following procedures:
- i. Compare the enforceable obligations to those that were approved by the California Department of Finance. Procedures to accomplish this may include reviewing the letter from the California Department of Finance approving the Recognized Enforceable Obligation Payment Schedules for the six month period from January 1, 2012 through June 30, 2012 and for the six month period July 1, 2012 through December 31, 2012.
 - ii. Compare the forecasted annual spending requirements to the legal document supporting each enforceable obligation.
 1. Obtain from the Successor Agency its assumptions relating to the forecasted annual spending requirements and disclose in the report major assumptions associated with the projections.
 - iii. For the forecasted annual revenues:
 1. Obtain from the Successor Agency its assumptions for the forecasted annual revenues and disclose in the report major assumptions associated with the projections.

Results: Not applicable. Per inquiry of City staff, the Successor Agency did not have any available assets as of June 30, 2012 to be retained for this purpose. At June 30, 2012, all assets of the "Other Funds" of the Successor Agency were restricted as identified on Procedures 6, 7 and 8A. Future Redevelopment Property Tax Trust Fund revenues will be used to meet requirements on future Recognized Enforceable Obligation Payment Schedule related to the continuing obligations of the Successor Agency.

- C. If the Successor Agency believes that projected property tax revenues and other general purpose revenues to be received by the Successor Agency are insufficient to pay bond debt service payments (considering both the timing and amount of the related cash flows), obtain from the Successor Agency a schedule demonstrating this insufficiency and apply the following procedures to the information reflected in that schedule.
- i. Compare the timing and amounts of bond debt service payments to the related bond debt service schedules in the bond agreement.
 - ii. Obtain the assumptions for the forecasted property tax revenues and disclose major assumptions associated with the projections.
 - iii. Obtain the assumptions for the forecasted other general purpose revenues and disclose major assumptions associated with the projections.

Results: Not applicable, per inquiry of City staff, they believe that there are sufficient future revenues to fund future obligation payments.

- D. If procedures A, B, or C were performed, calculate the amount of current unrestricted balances necessary for retention in order to meet the enforceable obligations by performing the following procedures.
- i. Combine the amount of identified current dedicated or restricted balances and the amount of forecasted annual revenues to arrive at the amount of total resources available to fund enforceable obligations.
 - ii. Reduce the amount of total resources available by the amount forecasted for the annual spending requirements. A negative result indicates the amount of current unrestricted balances that needs to be retained.
 - iii. Include the calculation in the AUP report.

Results: See response to 8A above.

Citation:

34179.5(c)(5)(E) An itemized list and analysis of any amounts of current balances that are needed to satisfy obligations that will be placed on the Recognized Obligation Payment Schedules for the current fiscal year.

Suggested Procedure(s):

9. If the Successor Agency believes that cash balances as of June 30, 2012 need to be retained to satisfy obligations on the Recognized Obligation Payment Schedule (ROPS) for the period of July 1, 2012 through June 30, 2013, obtain a copy of the final ROPS for the period of July 1, 2012 through December 31, 2012 and a copy of the final ROPS for the period January 1, 2013 through June 30, 2013. For each obligation listed on the ROPS, the Successor Agency should add columns identifying (1) any dollar amounts of existing cash that are needed to satisfy that obligation and (2) the Successor Agency's explanation as to why the Successor Agency believes that such balances are needed to satisfy the obligation. Include this schedule as an attachment to the AUP report.

Results: Not applicable. Per inquiry of City staff, the Successor Agency did not have any available assets as of June 30, 2012 to be retained for this purpose. At June 30, 2012, all assets of the "Other Funds" of the Successor Agency were restricted as identified on Procedures 6, 7 and 8A.

Citation:

34179.5(c)(6) The review shall total the net balances available after deducting the total amounts described in subparagraphs (B) to (E), inclusive, of paragraph (5). The review shall add any amounts that were transferred as identified in paragraphs (2) and (3) of subdivision (c) if an enforceable obligation to make that transfer did not exist. The resulting sum shall be available for allocation to affected taxing entities pursuant to Section 34179.6. It shall be a rebuttable presumption that cash and cash equivalent balances available to the successor agency are available and sufficient to disburse the amount determined in this paragraph to taxing entities. If the review finds that there are insufficient cash balances to transfer or that cash or cash equivalents are specifically obligated to the purposes described in subparagraphs (B), (D), and (E) of paragraph (5) in such amounts that there is insufficient cash to provide the full amount determined pursuant to this paragraph, that amount shall be demonstrated in an additional itemized schedule.

Suggested Procedure(s):

10. Include (or present) a schedule detailing the computation of the Balance Available for Allocation to Affected Taxing Entities (Attachment B). Amounts included in the calculation should agree to the results of the procedures performed in each section above. The schedule should also include a deduction to recognize amounts already paid to the County Auditor-Controller on July 12, 2012 as directed by the California Department of Finance. The amount of this deduction presented should be agreed to evidence of payment. The attached example summary schedule may be considered for this purpose. Separate schedules should be completed for the Low and Moderate Income Housing Fund and for all other funds combined (excluding the Low and Moderate Income Housing Fund).

Results: See Attachment C.

Suggested Procedure(s):

11. Obtain a representation letter from Successor Agency management acknowledging their responsibility for the data provided to the practitioner and the data presented in the report or in any attachments to the report. Included in the representations should be an acknowledgment that management is not aware of any transfers (as defined by Section 34179.5) from either the former redevelopment agency or the Successor Agency to other parties for the period from January 1, 2011 through June 30, 2012 that have not been properly identified in the AUP report and its related exhibits. Management's refusal to sign the representation letter should be noted in the AUP report as required by attestation standards.

Results: Management representation letter was obtained.

We were not engaged to, and did not, conduct an audit, the objective of which would be the expression of an opinion on the information provided for the purposes of the agreed-upon procedures and the Attachments. Accordingly, we do not express such an opinion. Had we performed additional procedures or had we performed an audit of the information provided for the purposes of the agreed-upon procedures and the Attachments, matters might have come to our attention which would have been reported to you.

This report is intended for the information of management and the Oversight Board, the State Department of Finance and State Controller's Office. However, this restriction is not intended to limit the distribution of this report, which is a matter of public record.

Maze & Associates

November 19, 2012

Attachment A

	Redevelopment Agency 12 Months Ended 6/30/2010	Redevelopment Agency 12 Months Ended 6/30/2011	Redevelopment Agency 7 Months Ended 1/31/2012	Successor Agency 5 Months Ended 6/30/2012 (A), (B)
Assets (modified accrual basis)				
Cash and Investments	\$2,218,043	\$1,439,386	\$576,980	\$6,181
Restricted Cash and Investments	870,027	9,793,535	8,945,245	8,908,213
Receivables	59,629	63,443	742	742
Deferred loans	3,071,221	6,070,736	6,253,915	1,305,481
Due From Other Funds/Housing Successor			279,609	279,609
Accrued Interest	3,842	1,177		
Total Assets	6,222,762	17,368,277	16,055,749	10,500,226
Liabilities (modified accrual basis)				
Accounts Payable	434,237	1,381,883		
Accrued Liabilities	3	3		
Due To Other Funds/City of Galt	113,276	153,311	279,609	67,050
Loan payable to the City				4,381,562
Long-term debt - due in more than one year				13,475,000
Total Liabilities	547,516	1,535,197	279,609	17,923,612
Equity	5,675,246	15,833,080	15,776,140	(7,423,386)
Total Liabilities + Equity	6,222,762	17,368,277	16,055,749	10,500,226
Total Revenues:	2,990,441	22,093,190	1,511,934	22,638
Total Expenditures:	3,200,587	11,350,424	1,103,194	590,029
Total Transfers:	(682,272)	(584,932)	(465,680)	(6,855,995)
Net change in equity	(892,418)	10,157,834	(56,940)	(7,423,386)
Beginning Equity:	6,567,664	5,675,246	15,833,080	
Ending Equity:	\$5,675,246	\$15,833,080	\$15,776,140	(\$7,423,386)
Other Information (show year end balances for all four periods presented):				
Capital assets as of end of year	\$0	\$0	\$0	\$0
Long-term debt as of end of year	\$10,233,417	\$20,311,434	\$19,567,409	\$17,856,562

Notes:

(A) Beginning Equity of the Successor Agency is reported at \$0. Balances transferred into the Successor Agency on 2/1/2012 are reported as part of the transfers.

(B) The Successor Agency activity for the 5 months ended June 30, 2012 has been presented using the full accrual basis of accounting, as the activities of the Successor Agency are reported in a Private-Purpose Trust Fund in the City's accounting records. All other data presented in Attachment A are presented using the modified accrual basis of accounting.

(C) Reduction of loan payable to the City (\$108,011) is included as an expenditure under modified accrual basis.

Attachment B

	<u>6/30/2012 Balance</u>
Cash and Investments	\$6,181
Restricted cash and investments	8,908,213
Accounts receivables	742
Due from Housing Successor	279,609
Deferred loans	<u>1,305,481</u>
Total Assets	<u><u>\$10,500,226</u></u>

SUMMARY OF BALANCES AVAILABLE FOR ALLOCATION TO AFFECTED TAXING ENTITIES

Total amount of assets held by the successor agency as of June 30, 2012 (procedure 5)	\$10,500,226
Add the amount of any assets transferred to the city or other parties for which an enforceable obligation with a third party requiring such transfer and obligating the use of the transferred assets did not exist (procedures 2 and 3)	-
Less assets legally restricted for uses specified by debt covenants, grant restrictions, or restrictions imposed by other governments (procedure 6)	(8,914,315)
Less assets that are not cash or cash equivalents (e.g., physical assets) - (procedure 7)	(1,305,481)
Less balances that are legally restricted for the funding of an enforceable obligation (net of projected annual revenues available to fund those obligations) - (procedure 8)	(280,351)
Less balances needed to satisfy ROPS for the 2012-13 fiscal year (procedure 9)	-
Less the amount of payments made on July 12, 2012 to the County Auditor-Controller as directed by the California Department of Finance	(257,814)
Amount to be remitted to county for disbursement to taxing entities	<u><u>(\$257,735)</u></u>