

County of Santa Clara

Finance Agency
Controller-Treasurer

County Government Center
70 West Hedding Street, East Wing 2nd floor
San Jose, California 95110-1705
(408) 299-5206 FAX 287-7629



NOTICE OF NO OBJECTION TO ROPS

February 23, 2015

City of Sunnyvale Successor Agency
650 W Olive Avenue
Sunnyvale, CA 94088

City of Sunnyvale Oversight Board
650 W Olive Avenue
Sunnyvale, CA 94088

Department of Finance
915 L Street
Sacramento, CA 95814

ROPS Period: ROPS 15-16A (July 1, 2015 – December 31, 2015)

Successor Agency: City of Sunnyvale

To the Successor Agency, Oversight Board, and Department of Finance:

Pursuant to Health and Safety Code section 34182.5, our office has reviewed the Recognized Obligation Payment Schedule (ROPS) submitted by the above-noted successor agency for the above-noted period. After reviewing all items and funding sources, the Santa Clara County Auditor-Controller does not object to any items or funding sources on the submitted ROPS.

Please note that items and/or funding sources not questioned during this review are subject to subsequent review if they are included on a future ROPS. We also reserve the right to object to an item and/or funding source (including, but not limited to, the use of fund balance) on a future ROPS, even if no objection was made on a preceding ROPS.

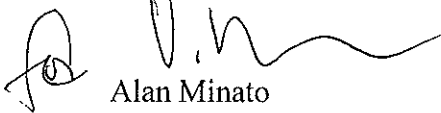
Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith

Successor Agency: City of Sunnyvale
Notice of No Objection to ROPS 15-16A
February 23, 2015

Although we did not object to any items or funding sources on the submitted ROPS based on the amounts requested for payment this period, the Successor Agency should not continue listing outstanding balances (Column I) for Item 4 on the ROPS. This item has been repeatedly denied by the Department of Finance on the basis that this is not an enforceable obligation. Therefore, this item should not be included on the ROPS. The County Auditor-Controller's prior objections to this item are reflected on previous ROPS review letters, which are publicly available on our website and are hereby incorporated by reference.¹

Additionally, pursuant to Health and Safety Code section 34186(a), the County Auditor-Controller may review the prior period payments and the prior period estimated versus actual payments reported on the ROPS. This review is ongoing, and this letter does not apply to the true-up of prior period payments. In addition, my office is continuing its review of the cash balances reported by the successor agency on the ROPS. The results of this review will be transmitted to the Department of Finance as soon as possible.

Sincerely yours,



Alan Minato
Controller-Treasurer
County of Santa Clara

Attachment: ROPS 15-16A as submitted to the County Auditor-Controller by Successor Agency

¹ Available at: <http://www.sccgov.org/sites/fin/Controller-Treasurer%20Department/ABx126implementation/Pages/default.aspx>

Recognized Obligation Payment Schedule (ROPS 15-16A) - Summary

Filed for the July 1, 2015 through December 31, 2015 Period

Name of Successor Agency: Sunnyvale
Name of County: Santa Clara

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding		
A Sources (B+C+D):		\$ -
B Bond Proceeds Funding (ROPS Detail)		-
C Reserve Balance Funding (ROPS Detail)		-
D Other Funding (ROPS Detail)		-
E Enforceable Obligations Funded with RPTTF Funding (F+G):		\$ 847,321
F Non-Administrative Costs (ROPS Detail)		722,321
G Administrative Costs (ROPS Detail)		125,000
H Current Period Enforceable Obligations (A+E):		\$ 847,321

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I Enforceable Obligations funded with RPTTF (E):		847,321
J Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)		(144,446)
K Adjusted Current Period RPTTF Requested Funding (I-J)		\$ 702,875

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L Enforceable Obligations funded with RPTTF (E):		847,321
M Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)		-
N Adjusted Current Period RPTTF Requested Funding (L-M)		847,321

Certification of Oversight Board Chairman:
Pursuant to Section 34177 (m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

Name	Title
/s/	
Signature	Date

Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail
July 1, 2015 through December 31, 2015
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source					Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
1	2003 Tax Allocation Refunding	Bonds Issued On or Before 12/31/10	11/6/2003	8/1/2022	U S Bank	1977 Bonds issued to fund	Central Core	\$ 49,030,583	N	\$ -	\$ -	\$ -	\$ 521,821	\$ 125,000	\$ 847,321
2	1998 Certificates of Participation (Parking Facility Refunding)	Bonds Issued On or Before 12/31/10	3/6/1998	10/1/2022	U S Bank	1978 Bonds issued to fund redevelopment projects in the Central Core Project area, refunded in 1992 and 1998.	Central Core	4,809,275	N						\$ -
3	Bond Covenants Other Than Principal and Interest Debt Service Payments	Bonds Issued On or Before 12/31/10	11/6/2003	10/1/2022	Professional services	Fees for trustee services, rebate analysis, disclosure consulting.	Central Core	30,304	N				2,500		\$ 2,500
4	Repayment Obligations-1977 Loan Repayment Agreement	City/County Loans On or Before 6/27/11	5/1/1977	12/31/2015	City of Sunnyvale	Pursuant to the resolution that authorized the issuance of the 1977 Central Core Bonds, the Agency is obligated to use moneys from tax revenue to repay the City, with interest, for all rental payments under the Project Lease and for all other contributions (including transfer of land) which aided in the planning, acquisition, and construction of the Project.	Central Core	28,210,296	N						\$ -
5	2010 Amended Disposition and Development and Owner Participation Agreement Article 8	OPA/DDA/Construction	8/2/2010	6/30/2026	Town Center Developer	Annual payment in consideration for the developer constructing and operating the required public improvements.	Central Core		N						\$ -
6	2010 Amended Disposition and Development and Owner Participation Agreement Article 4	OPA/DDA/Construction	8/2/2010	6/30/2026	State Water Resources Control Board, legal fees and environmental work costs	Investigation and remediation of hazardous materials.	Central Core	1,000,494	N				138,000		\$ 138,000
7	2010 Amended Disposition and Development and Owner Participation Agreement Management	Project Management Costs	8/2/2010	6/30/2026	Agency staff and professional services	To monitor and administer rights and obligations under the ADDOPA	Central Core	482,986	N				60,000		\$ 60,000
8	RDA Special Projects	Property Dispositions	7/1/2014	12/31/2015	Professional services	Technical and outside legal counsel services	Central Core	137,549	N						\$ -
9	Administration and operation of Successor Agency	Admin Costs	7/1/2014	12/31/2015	Agency staff and professional services	Administrative and legal services; audit fees; General Fund in-lieu payments for treasury and accounting support.	Central Core	125,000	N					125,000	\$ 125,000
10	Amended and Restated Reimbursement Agreement for 1998 Certificates of Participation	City/County Loans After 6/27/11	4/24/2012	10/1/2022	City of Sunnyvale	Under Section 34178(a), the Oversight Board authorized the RSA to reenter into an existing agreement to repay the City for all Lease Payments paid by the City for the construction of the parking facilities required by the RDA under the TownCenter DDA.	Central Core		N						\$ -
11	Legal fees	Legal	7/1/2014	6/30/2015	Goldfarb & Lipman	Litigation regarding enforceable obligations	Central Core		N						\$ -

Recognized Obligation Payment Schedule (ROPS 15-16A) - ROPS Detail
July 1, 2015 through December 31, 2015
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Funding Source					Six-Month Total
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
12	Low and Moderate Income Housing Fund Deferral Repayment	Miscellaneous	8/26/1986	12/31/2015	Housing Successor Agency	Under Section 34171(d)(1)(G), deferrals to the Low and Moderate Income Housing Fund are enforceable obligations. Purduant to 34176(e)(6)(B), the repayment amount is equal to one half of the increase in residual tax revenue over the FY 2012/13 base year.		14,234,679	N						\$ -
13	Amended and Restated Reimbursement Agreement for 1998 Certificates of Participation	City/County Loans After 6/27/11	4/24/2012	10/1/2022	City of Sunnysvale	Under Section 34178(a), the Oversight Board authorized the RSA to reenter into an existing agreement to repay the City for all Lease Payments paid by the City for the construction of the parking facilities required by the RDA under the TownCenter DDA.			N						\$ -

Recognized Obligation Payment Schedule (ROPS 15-16A) - Report of Cash Balances

(Report Amounts in Whole Dollars)

EXHIBIT A

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see https://rad.dof.ca.gov/rad-sa/pdf/Cash_Balance_Agency_Tips_Sheet.pdf.

A	B	C	D	E	F	G	H	I
Cash Balance Information by ROPS Period		Fund Sources						Comments
		Bond Proceeds		Reserve Balance		Other	RPTTF	
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin	
ROPS 14-15A Actuals (07/01/14 - 12/31/14)								
1	Beginning Available Cash Balance (Actual 07/01/14)	1,935,901				63,388	575,127	Col H including ppa \$79,967
2	Revenue/Income (Actual 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014	1,511,691				747	624,413	\$747 is interest from trust accounts
3	Expenditures for ROPS 14-15A Enforceable Obligations (Actual 12/31/14) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q	1,521,180				64,135	538,466	Col G \$64,135=747+63388. Col H has been reduced by such an amount.
4	Retention of Available Cash Balance (Actual 12/31/14) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)							
5	ROPS 14-15A RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 14-15A PPA in the Report of PPA, Column S						144,446	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ 1,926,412	\$ -	\$ -	\$ -	\$ -	\$ 516,628	
ROPS 14-15B Estimate (01/01/15 - 06/30/15)								
7	Beginning Available Cash Balance (Actual 01/01/15) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	\$ 1,926,412	\$ -	\$ -	\$ -	\$ -	\$ 661,074	
8	Revenue/Income (Estimate 06/30/15) RPTTF amounts should tie to the ROPS 14-15B distribution from the County Auditor-Controller during January 2015					36,870	195,910	14-15B RPTTF distribution withheld from RSA \$36,870 (legal fees in 13-14B admin.) General Fund has reimbursed this amount to Fund 315 after receiving the DOF letter dated 12/17/14.
9	Expenditures for ROPS 14-15B Enforceable Obligations (Estimate 06/30/15)						310,821	
10	Retention of Available Cash Balance (Estimate 06/30/15) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						438,657	deposited into Low & Moderate Income Housing Fund 1/2/15.
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	\$ 1,926,412	\$ -	\$ -	\$ -	\$ 36,870	\$ 107,506	

Recognized Obligation Payment Schedule (ROPS 15-16A) - Report of Prior Period Adjustments
 Reported for the ROPS 14-15A (July 1, 2014 through December 31, 2014) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)
 (Report Amounts in Whole Dollars)

ROPS 14-15A Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS 14-15A (July through December 2014) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 15-16A (July through December 2015) period will be offset by the SA's self-reported ROPS 14-15A prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the county auditor-controller (CAC) and the State Controller.

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T		
Item #	Project Name / Debt Obligation	Non-RPTTF Expenditures							RPTTF Expenditures											Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 15-16A Requested RPTTF)	SA Comments
		Bond Proceeds		Reserve Balance		Other Funds			Non-Admin				Admin								
		Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Available RPTTF (ROPS 14-15A distributed + all other available as of 07/1/14)	Net Lesser of Authorized / Available	Actual	Difference (If K is less than L, the difference is zero)	Authorized	Available RPTTF (ROPS 14-15A distributed + all other available as of 07/1/14)	Net Lesser of Authorized / Available	Actual	Difference (If total actual exceeds total authorized, the total difference is zero)	Net Difference (M+R)			
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$		
1	2003 Tax Allocation	-	-	-	-	63,388	64,135	559,767	628,003	555,917	469,009	88,903	125,000	132,880	125,000	69,457	55,543	144,446			
2	1998 Certificates of	-	-	-	-	63,388	64,135	456,667	457,442	456,667	455,920	747						747			
3	Bond Covenants Other Than Principal and Interest Debt Service Payments	-	-	-	-	-	-	4,100	250	250	2,245	-						-	please see the "explain Item 3 available" tab for explanation of why the Available RPTTF was only \$250.		
4	Repayment Obligations-1977 Loan Repayment Agreement	-	-	-	-	-	-	-	-	-	-	-						-			
5	2010 Amended Disposition and Development and Owner Participation Agreement Article 8	-	-	-	-	-	-	-	-	-	-	-						-			
6	2010 Amended Disposition and Development and Owner Participation Agreement Article 4	-	-	-	-	-	-	69,000	124,608	69,000	1,042	67,958						67,958			
7	2010 Amended Disposition and Development and Owner Participation Agreement Management	-	-	-	-	-	-	15,000	15,703	15,000	9,802	5,198						5,198			
8	RDA Special Projects	-	-	-	-	-	-	15,000	30,000	15,000		15,000						15,000			
9	Administration and operation of Successor Agency	-	-	-	-	-	-	-	-	-	-	-	125,000	132,880		69,457		-			
10	Amended and Restated Reimbursement Agreement for 1998 Certificates of Participation	-	-	-	-	-	-	-	-	-	-	-						-			
11	Legal fees	-	-	-	-	-	-	-	-	-	-	-						-			
12	Low and Moderate Income Housing Fund Deferral Repayment	-	-	-	-	-	-	-	-	-	-	-						-			